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Washington, Friday, August 10, 1945

## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

##### PART 11—NATIONAL FARM LOAN ASSOCIATIONS

##### MERGER OF SHAREHOLDER GROUPS

Section 11.375 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 11.375 *Procedure*. Whenever, in an association authorized to operate under section 25 (b) of the Farm Credit Act of 1937, all impairment is removed in the stock owned by shareholders in group 1, and there is no impairment in the stock owned by shareholders in group 2, such groups may merge in the manner hereinafter set forth:

(a) The board of directors of the association shall call separate special meetings of the shareholders of group 1 and the shareholders of group 2 for the purpose of considering a proposed resolution of merger in a form prescribed by the Administration. Such meetings shall be called and held in accordance with the provisions of the association's bylaws applicable to meetings of association shareholders. The notice of the meetings shall contain a statement that a merger of the two groups of association shareholders will be voted upon and should contain a brief statement of the nature and effect of the proposal. At these meetings the effect of the proposed merger should be fully explained to the shareholders.

(b) The approval of a majority of the shareholders present and voting at each meeting at which the resolution of merger is considered shall be requisite for the adoption of such resolution.

(c) At least three copies of such resolution shall be prepared, and, when the resolution has been duly adopted by both groups, two copies shall be forwarded to the bank.

(d) The bank may request an examination of the association either on or before the adoption of the merger resolution. An examination may be required by the Land Bank Commissioner at any

stage in the proceedings if it appears necessary in the interests of the shareholders.

(e) The bank shall forward to the Administration one copy of the resolution, a current financial statement of groups 1 and 2, and its recommendation as to whether the merger should be approved.

(f) No merger shall be effective unless or until it has been approved by the Commissioner. If the merger resolution is approved by the Commissioner, the effective date will be specified in his written approval and the bank and association will be notified of the approval and effective date by letter. Upon receipt of the approval notice the bank shall take such steps as it deems necessary to assist the secretary-treasurer of the association in consolidating the accounts and records of the two groups pursuant to the merger resolution. Such consolidation of accounts and records shall be made as of the close of business on the effective date of the merger. As soon as the merger has been completed, the secretary-treasurer shall notify each of the members of the association that the merger has been effected. A copy of that notice shall be sent to the Administration.

(Sec. 6, 47 Stat. 14; sec. 25 (b), 50 Stat. 711; 12 U.S.C. 685, 724 (d))

[SEAL]      J. R. ISLEIGH,  
Acting Land Bank Commissioner.

[F. R. Doc. 45-14655; Filed, Aug. 8, 1945;  
3:20 p. m.]

#### Chapter II—Department of Agriculture, Commodity Credit Corporation

##### PART 270—SHEEP AND LAMB PRODUCTION: PAYMENTS

##### OFFER TO MAKE PAYMENTS

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#### NOTICE

##### 1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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Sec.	
270.10	Death, incompetency, or other disability of seller or slaughterer.
270.11	Lost, stolen, or destroyed drafts.
270.12	Instructions and interpretations.
270.13	Revocation or codification.

**AUTHORITY:** §§ 270.1 to 270.13, inclusive, issued under 56 Stat. 767; Pub. Law 30, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681; OES Dir. 70, 10 F.R. 9478.

§ 270.1 *Introduction.* In an effort to maintain and increase the production of lamb and mutton, the United States Department of Agriculture, through the Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to this announcement, hereby offers to make sheep and lamb production payments to eligible sellers and slaughterers of sheep and lambs within the District of Columbia and the 48 States of the United States for the period beginning August 5, 1945, and ending June 30, 1946 (both dates inclusive), all in the manner and subject to the terms and conditions specified in this offer.

§ 270.2 *Definitions.* As used in this offer:

(a) The term "legally authorized slaughterer" means:

(1) Any person who is operating as a slaughterer under Federal Meat Inspection pursuant to the act of May 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C., 71, and as extended by the act of June 10, 1942 (56 Stat. 351), or

(2) Any person who is registered as a slaughterer and has been assigned a quota base pursuant to the regulations of the Office of Price Administration, or

(3) Any person who is certified pursuant to the provisions of War Food Order 139, as amended.

(b) The term "sheep" means any ovine animal that has or had one or more pairs of permanent teeth in full wear, including but not limited to yearlings, ewes, aged wethers, bucks, and rams.

(c) The term "lamb" means any young ovine animal whose first pair of permanent teeth have not developed to the extent of being in full wear.

(d) The term "eligible sheep and lambs" means sheep or lambs, except imported sheep or lambs in the United States less than 60 days, which are:

(1) Sold by any person other than a legally authorized slaughterer to a legally authorized slaughterer for slaughter and delivered for slaughter during the period beginning August 5, 1945, and ending June 30, 1946, or

(2) Raised by a legally authorized slaughterer and slaughtered during the period beginning August 5, 1945, and ending June 30, 1946, by such legally authorized slaughterer, or

(3) Purchased for feeding by a legally authorized slaughterer, fed not less than 30 days, and then slaughtered during the period beginning August 5, 1945, and ending June 30, 1946, by such legally authorized slaughterer, or

(4) Sold by any legally authorized slaughterer to another legally authorized slaughterer for slaughter after being raised or purchased for feeding and held by the first legally authorized slaughterer for not less than 30 days, and delivered for slaughter during the period beginning August 5, 1945, and ending June 30, 1946.

(c) The term "eligible seller" means any person other than a legally authorized slaughterer who, having owned and sold eligible sheep or lambs to a legally authorized slaughterer for slaughter, delivers such sheep or lambs during the period August 5, 1945, through June 30, 1946, to such legally authorized slaughterer for slaughter.

(f) The term "eligible slaughterer" means:

(1) Any legally authorized slaughterer who, having raised sheep or lambs, slaughters such sheep or lambs during the period beginning August 5, 1945, and ending June 30, 1946, or

(2) Any legally authorized slaughterer who, having purchased sheep or lambs for feeding and fed such sheep or lambs for not less than 30 days, slaughters such sheep or lambs during the period beginning August 5, 1945, and ending June 30, 1946, or

(3) Any legally authorized slaughterer who, after owning sheep or lambs for not less than 30 days, sells such sheep or lambs to any other legally authorized slaughterer for slaughter and delivers such sheep or lambs for slaughter during the period beginning August 5, 1945, and ending June 30, 1946.

(g) The term "person" means any individual, partnership, association, business trust, corporation, or any organized groups of persons, either incorporated or not, and includes the states and any subdivisions thereof.

(h) The term "live weight" means the actual weight of the live animal or lot of animals or the weight on which settlement is made, whichever is lower.

§ 270.3 *Payments.* Payments under this offer will be made upon compliance with the terms and conditions specified herein to any eligible seller with respect to eligible sheep and lambs sold by him and to any eligible slaughterer with respect to eligible sheep and lambs sold or slaughtered by him. Not more than a total of \$36,000,000 will be paid to sellers and slaughterers under this offer.

§ 270.4 *Duplicate payments.* Commodity will not make more than one payment with respect to any one sheep or lamb.

§ 270.5 *Rates of payments.* Rates of payment hereunder for eligible sheep and lambs sold or slaughtered by eligible sellers or eligible slaughterers shall be as follows:

**RATE OF PAYMENTS PER CWT. FOR ELIGIBLE SHEEP AND LAMBS FOR THE PERIOD AUGUST 5, 1945, THROUGH JUNE 30, 1946**

	Lambs 55 to 60 pounds	Lambs over 60 pounds
<b>1945</b>		
August.....	\$1.50	\$2.15
September.....	1.50	2.15
October.....	1.50	2.15
November.....	1.50	2.15
December.....	2.00	2.65
<b>1946</b>		
January.....	2.00	2.65
February.....	2.00	3.15
March.....	2.00	3.15
April.....	2.00	3.15
May.....	2.00	2.65
June.....	2.00	2.65

Payments for all other lambs and all sheep, August 5, 1945, through June 30, 1946, will be at the rate of \$1.00 per hundredweight.

In determining the amounts due eligible sellers and eligible slaughterers, the live weight of each lot of the eligible sheep and lambs shall be used. In determining the weight classification of eligible lambs, the average live weight of each lot of lambs shall be used.

§ 270.6 *Prerequisites for payments.* Payment hereunder will be made to any eligible seller or slaughterer who:

(a) Files an application in such form as shall be approved or prescribed by Commodity, with the county AAA committee for the county in which the farm, ranch, or feed lot on which the sheep or lambs were last situated for not less than 30 days is located (or such other place as Commodity may designate).

(b) Supplies with such application for payment evidence with respect to his eligibility to receive payment as provided in this offer which the County AAA committee determines to be satisfactory pursuant to instructions approved by Commodity, and

(c) Files such application within 60 days after date of delivery or slaughter, or on or before December 31, 1945, whichever is later (unless such time is, for cause, extended by Commodity).

§ 270.7 *Method of payment.* Payment hereunder, on the basis of each such application for payment which has been ap-

proved by the appropriate county AAA committee shall (unless Commodity otherwise directs), be made by a non-interest-bearing draft drawn by such county AAA committee or other drawer designated by Commodity on Commodity and payable at a Federal Reserve Bank. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible seller or slaughterer, except as provided in § 270.10. Each draft shall be given a serial number and shall be delivered to the eligible seller or slaughterer. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute a final determination of the validity or amount of the claim represented thereby. Any applicant who is determined by Commodity acting through the applicable county AAA committee (or such other agent as may be designated) to have filed a wilfully falsified application pursuant to this offer, shall be deemed ineligible for the payment for which such claim is filed. Payments made on an application later determined to be wilfully falsified shall be repaid by the applicant. If it is determined that an improper application resulted from factors beyond the knowledge and control of the applicant, Commodity acting through the appropriate county AAA committee (or such other agent as may be designated) may accept a revised application and pay the amount which it deems proper. The provisions of this section shall not preclude legal action by Commodity under the Criminal Code of the United States against any seller or slaughterer who submitted an application for payment under this offer for an amount in excess of the amount which would be proper in accordance with the terms of the offer.

§ 270.8 *Right to declare claims invalid.* Commodity shall have the right to declare invalid in whole or in part, any claim which is not in compliance with the terms and conditions of this offer and any claim filed by an applicant who, in the judgment of the Price Administrator, has wilfully violated any meat or livestock regulation or order issued by the Price Administrator. Commodity shall also have the right to declare invalid, in whole or in part, any claim filed by an applicant concerning whom the Office of Price Administration has certified that in any civil action or proceeding (including a proceeding before a hearing commissioner) against such applicant it has been determined that the applicant has violated any substantive provision of any meat or livestock regulation or order issued by the Price Administrator. If such determination is finally reversed, payment withheld under this section will be made by Commodity.

§ 270.9 *Assignment and set-off.* Payments due or to become due hereunder shall not be subject to assignment, attachment, garnishment, or levy. Payments hereunder shall be subject to set-offs for indebtedness of the eligible seller or slaughterer to the United States of America or any agency or corporation thereof recorded on any AAA debt register, and this offer is expressly made subject to this provision for set-offs.

§ 270.10 *Death, incompetency, or other disability of seller or slaughterer.* In case of death, incompetency, or disappearance of an eligible seller or slaughterer, application for any payment hereunder may be made by any person who, under the regulations contained in ACP-122, as amended, issued by the AAA, would be entitled to payment. In case of infancy, bankruptcy, dissolution, or other disability of the eligible seller or slaughterer, payments will be made to a representative only in accordance with specific instructions issued by Commodity.

§ 270.11 *Lost, stolen, or destroyed drafts.* In the event any executed draft shall be lost, stolen, or destroyed, the fact of such loss, theft, or destruction shall be reported immediately to the office of the applicable county AAA committee and, in such event, the issuance of a duplicate draft shall be subject to such conditions as Commodity shall, from time to time prescribe.

§ 270.12 *Instructions and interpretations.* Commodity shall have the right to supplement or clarify any provision of this offer or alter any procedure contained herein at any time by the issuance of instructions or interpretations in connection therewith.

§ 270.13 *Revocation or modification.* This offer, or any extension hereof, may be partially or wholly revoked, modified, or amended by Commodity with respect to any seller or slaughterer at any time upon notice to such seller or slaughterer or with respect to all sellers or slaughterers, by Commodity giving public notice of such modification, revocation, or amendment. Such public notice may be given by filing of the notice with the Division of the Federal Register. Notwithstanding any such revocation, modification, or amendment, payment will be made with respect to eligible sheep and lambs sold or slaughtered pursuant to this offer prior to the effective time of any such revocation, modification, or amendment.

Issued this 9th day of August 1945.

[SEAL] COMMODITY CREDIT CORPORATION,  
By R. W. MAYCOCK,  
Vice-President.

Attest:  
MARGARET W. SAMUELS,  
Secretary.

[F. R. Doc. 45-14685; Filed, Aug. 9, 1945;  
11:05 a.m.]

## TITLE 7—AGRICULTURE

### Chapter XI—War Food Distribution Orders

[WFO 45, Amdt. 9]

#### PART 1491—BEANS

##### RESTRICTIONS ON DELIVERIES OF BEANS

War Food Order No. 45, as amended, § 1491.1 (9 F.R. 9775, and 14273; 10 F.R. 103) is hereby amended:

1. By striking the words "War Food Administrator" and the words "War Food

Administration" wherever they appear in § 1491.1 and substituting in lieu thereof, respectively, the words "Secretary of Agriculture" and the words "United States Department of Agriculture."

2. By deleting § 1491.1 (a) (7) and substituting in lieu thereof the following:

(7) "Governmental agency" means (i) the armed services of the United States; (ii) the United States Department of Agriculture (including but not restricted to any corporate agency thereof); and (iii) any other instrumentality or agency designated by the Secretary of Agriculture.

3. By adding, after § 1491.1 (a) (9), the following:

(10) "Secretary of Agriculture" means the Secretary of Agriculture, United States Department of Agriculture.

4. By deleting § 1491.1 (b) (3) and (4) and substituting in lieu thereof the following:

(3) Beans required to be set aside under this order may be sold only to:

(i) A governmental agency in response to announcements or notices by the particular agency that offers for beans will be received;

(ii) An authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) A country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or to a governmental agency, and who furnishes a certificate in accordance with (c) hereof.

5. By renumbering § 1491.1 (b) (5) as § 1491.1 (b) (4).

This amendment shall become effective at 12:01 a. m., e. w. t., August 9, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9534, 8 F.R. 5423; E.O. 9392, 8 F.R. 14763, E.O. 9577, 10 F.R. 8087)

Issued this 7th day of August 1945.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-14654; Filed, Aug. 8, 1945;  
3:20 p. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter II—Office of Alien Property Custodian

[Gen. Order 31, as Amended, Amdt.]

#### PART 503—GENERAL ORDERS

##### PROHIBITION OF TRANSACTIONS, APPOINTMENT OF AGENTS AND DELEGATION OF AUTHORITY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby amends General Order No. 31



heretofore issued by the Alien Property Custodian on July 10, 1944 (9 F.R. 7739), as amended July 22, 1944 (9 F.R. 8975) and December 12, 1944 (9 F.R. 14573), in the following manner, and not otherwise:

1. Paragraph (b) of General Order No. 31, as amended, is amended by striking therefrom the words "Fritz Machlup, as Acting Chief of the Division of Investigation and Research" and inserting in lieu thereof the words "Henry G. Hilken, Chief of the Division of Investigation"; and by striking therefrom the words "Frank J. Garvey, as Assistant to the Alien Property Custodian and Manager of the New York Office of the Office of Alien Property Custodian" and inserting in lieu thereof "C. Gordon Lamude, as Manager of the New York Office of the Office of Alien Property Custodian".

2. Paragraph (c) of General Order No. 31, as amended, is revoked.

Executed at Washington, D. C., on August 7, 1945.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp.); E.O. 9193, 7 F.R. 5205; E.O. 9567, 10 F.R. 6917)

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-14677; Filed, Aug. 9, 1945;  
10:46 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5035]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### PEGGY SHOPS, INC., ETC.

§ 3.295 (b) *Concealing or obliterating law-required marking—Wool products tags or identification.* In connection with the purchase, offering for sale, sale, or distribution of women's clothing or any other "wool product," as such products are defined in and subject to the Wool Products Labeling Act of 1939, causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of said Act, with intent to violate the provisions thereof, and which stamp, tag, label, or other means of identification purports to show all or any part of the following, namely, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; or (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool

product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45 b; 54 Stat. 1128; 15 U.S.C., Sec. 68) [Cease and desist order, Peggy Shops, Inc., etc., Docket 5035, July 19, 1945]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 19th day of July, A. D. 1945.

#### *In the Matter of Peggy Shops, Inc., a Corporation, Trading and Doing Business as Kariton Vogue Shop*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admitted all the material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939:

It is ordered, That respondent Peggy Shops, Inc., a corporation, trading and doing business as Kariton Vogue Shop, or under any other name, its officers, agents, representatives, and employees, directly or indirectly, in connection with the purchase, offering for sale, sale, or distribution of women's clothing or any other "wool product," as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of the Wool Products Labeling Act of 1939, with intent to violate the provisions of said Act, and which stamp, tag, label, or other means of identification purports to show all or any part of the following:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof

in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-14727; Filed, Aug. 9, 1945;  
11:28 a. m.]

## TITLE 29—LABOR

### Chapter VI—National War Labor Board

#### PART 803—GENERAL ORDERS

##### EXPORT PACKAGING ESTABLISHMENTS IN DESIGNATED COUNTIES IN CALIFORNIA

The National War Labor Board, under paragraph (d) of § 803.4, has approved the following exception to the exemption provided for in paragraph (a) of this order:

(67) Export packaging establishments in the counties of Los Angeles, San Francisco, San Mateo, Alameda, Contra Costa and Solano, and the City of Stockton. Such establishments are defined as those primarily engaged in packing, crating or otherwise preparing goods for overseas shipment immediately prior to placement of goods at the ship's side. (Approved May 23, 1945.)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13033; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 45-14663; Filed, Aug. 9, 1945;  
9:43 a. m.]

### Chapter IX—Agriculture Department (Agricultural Labor)

[Supp. 57, Amdt. 1]

#### PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

##### WORKERS ENGAGED IN PRODUCTION AND HARVESTING OF APPLES IN CERTAIN COUNTIES IN CALIFORNIA

Section 1102.26 is amended as follows:

1. The section number is changed from 1102.26 to 1102.27.

2. Paragraph (b) (1) (i) is amended to read as follows:

(i) For common, inexperienced farm labor—maximum rate per hour—85 cents.

This amendment shall become effective at 12:01 a. m., Pacific war time, August 9, 1945.

(56 Stat. 765 (1942); 50 U.S.C. App. 961 et seq. (Supp. IV); 57 Stat. 63 (1943);

50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 9th day of August 1945.

[SEAL] HOWARD A. PRESTON,  
*Acting Director of Labor,  
U. S. Department of Agriculture.*

[F. R. Doc. 45-14686; Filed, Aug. 9, 1945;  
11:05 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices, Department of the Treasury

#### PART 131—GENERAL LICENSES UNDER EX- ECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO.

##### EXEMPTION OF CERTAIN CURRENCY AND SE- CURITIES IMPORTED INTO U. S.

AUGUST 9, 1945.

General License No. 84, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of The Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 84 is hereby amended to read as follows:

§ 131.84 *Exemption of certain currency and securities from General Ruling No. 5.* A general license is hereby granted exempting from the provisions of General Ruling No. 5 the following currency and securities:

(a) United States Defense and War Savings Stamps and Bonds of all series and designations;

(b) Securities issued or authenticated in the United States or Canada after December 7, 1941;

(c) Veterans Adjusted Service Certificates and Veterans Adjusted Service Bonds;

(d) United States Treasury notes of Tax Series A and Tax Series B; and

(e) United States currency in denominations of \$20 or less and all foreign currency.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] FRED M. VINSON,  
*Secretary of the Treasury.*

[F. R. Doc. 45-14671; Filed, Aug. 9, 1945;  
10:12 a. m.]

#### APPENDIX A—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS IS- SUED PURSUANT THERETO

##### CURRENCY AND SECURITIES COMING FROM PANAMA CANAL ZONE INTO U. S.

AUGUST 9, 1945.

General Ruling No. 7, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General Ruling No. 7 is hereby amended to read as follows:

The provisions of General Ruling No. 5, as amended, are extended to currency and securities or evidences thereof coming from the Panama Canal Zone into any other part of the United States.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941 and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] FRED M. VINSON,  
*Secretary of the Treasury.*

[F. R. Doc. 45-14670; Filed, Aug. 9, 1945;  
10:12 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Foreign Economic Administration

#### Subchapter B—Export Control

[Amdt. 75]

#### PART 810—LIMITED PRODUCTION LICENSE FOR FARM MACHINERY "LPL"

##### GENERAL PROVISIONS

Section 810.1 *General provisions* is hereby amended by adding to the list of Department of Commerce Schedule B numbers therein, the following numbers: "606200, 606300, 612100, 724100."

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 2, 1945.

S. H. LEBENSBURGER,  
*Director,  
Requirements and Supply Branch,  
Bureau of Supplies.*

[F. R. Doc. 45-14650; Filed, Aug. 8, 1945;  
1:54 p. m.]

[Amdt. 76]

#### PART 814—LIMITED PRODUCTION LICENSE FOR SMALL CALIBER AMMUNITION (.22 CALIBER AND UNDER) "LPL"

Sec.

814.1 *Destinations.*

814.2 *General provisions.*

Sec.

814.3 *Clearance for export.*

814.4 *Period of validity.*

AUTHORITY: §§ 814.1 to 814.4, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512.

§ 814.1 *Destinations.* The provisions of this part apply only to exportations to destinations included in Country Group K as set forth in paragraph (a) of § 802.3 of this subchapter.

§ 814.2 *General provisions.* (a) There is hereby established a limited production license designated "LPL", authorizing, subject to the other provisions of this part, the exportation to Group K destinations of any of the following types of small caliber ammunition (.22 caliber and under) manufactured for export under the provisions of War Production Board Order L-286 and classified under one of the following Schedule B numbers:

*Commodity, Schedule B Number, and Unit  
of Reporting*

Balls, 948101, round.  
Tracers, 948103, round.  
Ammunition for small arms, n. o. s., 948163, round.  
Shotgun shells, 948162, units.  
Fuses for guns, 948701, units.  
Primers for guns, 948702, units.

(b) Any person, who is a manufacturer, or the agent of a manufacturer, authorized, under the provisions of War Production Board Order L-286, to produce for export any of the types of small caliber ammunition (.22 caliber and under) described in paragraph (a) of this section, may, as an alternative procedure to the filing of applications for individual licenses, file an "Application for Limited Production License" accompanied by an "Application for Distribution Schedule for Small Caliber Ammunition (.22 Caliber and Under)" on the forms prescribed by the Foreign Economic Administration. All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated as a part of the regulations in this subchapter. All such applications shall contain such information as may be required by the Foreign Economic Administration, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) A separate and complete application and distribution schedule, in triplicate, shall be filed for the quantity of each type of small caliber ammunition, described in paragraph (a) of this section, which the applicant desires to export to Group K destinations during each calendar quarter, commencing with the third calendar quarter of 1945. Applications for limited production licenses for export of small caliber ammunition during the third calendar quarter of 1945 shall be filed with the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C., as soon as possible after the effective date of this regulation, and applications for

succeeding calendar quarters shall be filed on or before the 15th day of the month immediately preceding the calendar quarter for which the application is made.

(d) Any exporter whose application for a limited production license and related application for a distribution schedule for small caliber ammunition has been approved by the Foreign Economic Administration may, during the period of validity of the license, export under such license to each country or group of countries listed in the related distribution schedule not more than the quantity and type of small caliber ammunition approved by the Foreign Economic Administration for export to each such country or group of countries in said distribution schedule.

(e) Limited production licenses and related distribution schedules for small caliber ammunition may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited production license and distribution schedule for small caliber ammunition to which the amendment is applicable.

§ 814.3 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for small caliber ammunition. In lieu of the presentation of an original export license or other document issued by the Foreign Economic Administration, any exporter making an exportation of small caliber ammunition under a limited production license shall present to the United States Collector of Customs at the port of exit or the United States Postmaster at the place of mailing a Shipper's Export Declaration bearing the symbol "LPL" and the number of the limited production license for small caliber ammunition pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of small caliber ammunition constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule for small caliber ammunition relating to such license; and (3) that all of the other provisions and conditions of said license have been met.

§ 814.4 *Period of validity.* Limited production licenses for small caliber ammunition shall be valid for the calendar quarter for which issued and for a further period of 60 days after the expiration of such calendar quarter unless the period of validity is reduced or extended by the Foreign Economic Administra-

tion. All limited production licenses for small caliber ammunition are subject to revocation or revision at any time by the Foreign Economic Administration.

This amendment shall become effective immediately upon publication.

Dated: July 27, 1945.

WALTER FREEDMAN,  
Deputy Director,  
Requirements and Supply Branch,  
Bureau of Supplies.

[F. R. Dec. 45-14651; Filed, Aug. 8, 1945;  
1:54 p. m.]

#### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 53 Stat. 230, 59 Stat. 177, 58 Stat. 837; E.O. 8024, 7 F.R. 323; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 61.

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-879]

LEMANARO REALTY CO. ET AL.

Lemanaro Realty Company, an Indiana corporation, of 5255 Hohman Avenue, % Bloom's Furs, Hammond, Indiana, as owner, began construction of an addition, to be used as retail service establishments, in November 1944, to a building at 5255-59 Hohman Avenue, Hammond, Indiana. Philip Zweig of 1959 Broadway, Gary, Indiana, acted as contractor for said construction, and supplied labor and certain new materials in connection therewith. The work consisted of an addition to the rear of said building at a contract price of approximately \$12,000, exclusive of certain used materials to be incorporated therein. Said construction was started without permission or approval of the War Production Board and in violation of Conservation Order L-41, and was continued until an investigator of the War Production Board visited said premises and a "stop telegram" was sent to the respondent, Lemanaro Realty Company, at which time approximately \$8,000 had been paid by the Lemanaro Realty Company to Philip Zweig for work performed in connection with said construction.

Lemanaro Realty Company and Philip Zweig had general knowledge that there were War Production Board restrictions on building and construction, and the beginning and carrying on of aforesaid construction without War Production Board authorization or permission constituted a violation of Conservation Order L-41, such violation being a result of the respondents' gross negligence.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

#### § 1010.879 Suspension Order S-879.

(a) Lemanaro Realty Company and Philip Zweig, their successors or assigns, shall not do any construction on the building at 5255-59 Hohman Avenue, Hammond, Indiana, or upon the addition thereto, including completing or altering of said building or addition thereto, or connect-

ing any equipment or fixtures, unless hereinafter specifically authorized in writing by the War Production Board.

(b) The restrictions and prohibitions contained herein shall apply to Lemanaro Realty Company and Philip Zweig, their successors or assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve the Lemanaro Realty Company or Philip Zweig, their successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Dec. 45-14657; Filed, Aug. 8, 1945;  
4:23 p. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 4 to Schedule B]

#### SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE KNITTED ITEMS

Section 3290.120b *Schedule B to Conservation Order M-328B* is hereby amended in the following respect:

Amend paragraph (f) to read as follows:

(f) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for cotton or rayon fabrics, ribbons, tapes, braids or stays, sewing thread and buttons in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications for cotton materials shall be made on form WPB-2342 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., and for rayon materials and buttons on form WPE-541, filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items. A base period manufacturer who files forms WPB-2842 and WPE-541 for the third calendar quarter of 1945 by August 31, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton or rayon fabrics, ribbons, tapes, braids or stays and buttons (but not thread) for delivery in that quarter for incorporation into the items for which he has made application on form WPE-3732. He may do so only for 66⅔% of the quantity of each of these components for which application was made. Components purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted on forms

WPB-2842 and WPB-541. If the applicant does not receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

Issued this 8th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14656; Filed, Aug. 8, 1945;  
4:23 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-796, Reinstatement and Amendment]

MAX LAWRENCE & CO.

Max Lawrence & Company, a partnership composed of Max Lawrence and Elsie Lawrence, his wife, of 13 West 37th Street, New York City, engaged as a "converter" of textiles, was suspended on May 30, 1945, by Suspension Order No. S-796. They appealed from the provisions of the suspension order, and pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on May 30, 1945 for a period of seven days ending June 5, 1945. The suspension order was further stayed by the Chief Compliance Commissioner on June 5, 1945 pending determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. The appeal has been considered by the Chief Compliance Commissioner who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing: it is hereby ordered, that: § 1010.796, *Suspension Order No. S-796* issued May 23, 1945, and effective May 30, 1945, be and hereby is reinstated effective August 9, 1945, to expire March 9, 1946; the stay of execution directed by the Chief Compliance Commissioner on June 5, 1945, be and hereby is revoked effective August 8, 1945; and that the suspension order be modified by striking paragraphs (a), (c), (d), and (h) therefrom and substituting the following paragraphs:

(a) Max Lawrence and Elsie Lawrence shall not, from the effective date of this order to and including March 9, 1946, apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be assigned, applied or extended.

(c) All preference ratings, allotments and allocations presently outstanding in connection with purchase orders for the delivery of woven, felted, knitted and braided fabrics of cotton, wool, or synthetic yarns and blends of the foregoing presently outstanding or placed by Max Lawrence & Company prior to the termination of this order, i. e.—March 9, 1946, are void and shall not be given any effect by suppliers of said Max Lawrence & Company, by any other person or persons.

(d) Max Lawrence and Elsie Lawrence shall not from the effective date of the suspension order to and including March 9, 1946, receive or accept delivery of woven, felted, knitted, and braided fabrics of cotton, wool or synthetic yarns or blends of the foregoing, unless specifically authorized in writing by the War Production Board.

(h) This order shall take effect on August 9, 1945.

Issued this 31st day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14733; Filed, Aug. 9, 1945;  
11:29 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-864]

JOHNSON & WIMSATT, INC.

Johnson & Wimsatt, Inc., a corporation with its principal place of business at Ninth & Maine Streets SW, Washington, D. C., is engaged in the business of selling lumber, hardboard and other building materials. Between August 1, 1944 and March 31, 1945, the company placed orders bearing preference ratings of AA-1 for 1,574,352 square feet of hardboard, when it was authorized to use this preference rating to obtain only 877,789 square feet; between March 6 and March 9, 1945, it applied or extended unauthorized preference ratings of AA-1 to the National Gypsum Company on three purchase orders for six carloads of hardboard; and on March 13, 1945, it applied or extended an unauthorized preference rating of AA-1 to the Certain-teed Products Corporation for two carloads of hardboard, all in violation of Priorities Regulation No. 3. The responsible officer of Johnson & Wimsatt, Inc., was aware of the provisions of Priorities Regulation No. 3, and its actions constituted wilful violations thereof.

These violations diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.864 *Suspension Order No. S-864*. (a) Johnson & Wimsatt, Inc. shall not for three months from the effective date of this order apply or extend any preference ratings to obtain any hardboard regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Johnson & Wimsatt, Inc., shall cancel immediately all preference ratings which it has applied or extended to orders for hardboard which have not yet been filled, except hardboard already in transit for delivery to it on the effective date of this order.

(c) The restrictions and prohibitions contained herein shall apply to Johnson & Wimsatt, Inc., its successors and assigns and persons acting in its behalf. Prohibitions herein against the taking of any action include the taking indirectly as well as directly of any such action.

(d) Nothing contained in this order shall be deemed to relieve Johnson &

Wimsatt, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on the 9th day of August 1945.

Issued this 2d day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14734; Filed, Aug. 9, 1945;  
11:29 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-881]

VETERANS OF FOREIGN WARS, LUZON-ARGONNE  
POST NO. 827 AND HOME ASSOCIATION,  
INC.

Veterans of Foreign Wars, Luzon-Argonne Post No. 827, a voluntary association with offices at 230½ North Rose Street, Kalamazoo, Michigan, operates a club house located at 491 West Michigan Avenue, Kalamazoo, Michigan. Home Association, Inc., of 230½ North Rose Street in the same city is the owner of the foregoing premises in which the club house is located. In October 1944, without authorization from the War Production Board, they did construction on the club house at a cost of \$18,000 which amount exceeded an express authorization permitting the expenditure of only \$6,375 for such construction, in violation of Conservation Order L-41. The officers of the association and the corporation were aware of the provisions of Conservation Order L-41 and their actions constituted wilful violations thereof.

This violation has diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.881 *Suspension Order No. S-881*. (a) Neither the Veterans of Foreign Wars, Luzon-Argonne Post No. 827, Home Association, Inc., their successors or assigns, nor any other person shall do any construction work on the premises located at 491 West Michigan Avenue, Kalamazoo, Michigan, including putting up, altering or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Veterans of Foreign Wars, Luzon-Argonne Post No. 827, Home Association, Inc., their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14735; Filed, Aug. 9, 1945;  
11:29 a. m.]



## PART 1010—SUSPENSION ORDERS

[Suspension Order S-883]

JOHN J. CLATFELTER

John J. Clatfelter, of 1616 East Fourth Street, Royal Oak, Michigan, without permission of the War Production Board, did construction between August 1, 1944, and April 24, 1945, of five residential structures at North Bay, Houghton Lake, Michigan, the estimated cost of each of which was in excess of \$200.00 in violation of Conservation Order L-41. John J. Clatfelter should have known of Conservation Order L-41 and his beginning and carrying on of this construction constitutes a grossly negligent violation of that order.

This act of violation has diverted critical materials to the uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.883 *Suspension Order S-883.*

(a) John J. Clatfelter shall do no construction on the premises at North Bay, Houghton Lake, Michigan, including putting up, altering, or finishing any structures thereon, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John J. Clatfelter from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to John J. Clatfelter, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14736; Filed, Aug. 9, 1945;  
11:29 a. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-884]

PROCESS LITHOGRAPH CO.

Process Lithograph Company, a Michigan corporation, with offices at 2863 East Grand Boulevard, Detroit, Michigan, owns and operates a commercial printing establishment. During the second and fourth quarters of 1944 the company used, for commercial printing, 42,998 pounds of paper in excess of its quarterly consumption quota, in violation of Limitation Order L-241. During December, 1944, and thereafter, the company did construction of an office building at 2863 East Grand Boulevard, Detroit, Michigan, at an estimated cost in excess of the amount permitted by, and in violation of Conservation Order L-41. The officers of the company were aware of the restrictions of Conservation Order L-41, and its actions constituted a grossly negligent violation thereof.

No. 159—2

These violations have diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.884 *Suspension Order No. S-884.* (a) In each of the third and fourth calendar quarters of 1945 and the first calendar quarter of 1946, Process Lithograph Company shall reduce its use of paper for commercial printing by 14,333 pounds under the quota it would otherwise be entitled to use during these quarters as specified by the provisions of Limitation Order L-241, unless otherwise specifically authorized in writing by the War Production Board.

(b) For a period of one year from the effective date of this order, no authorization to begin any new construction to be erected in whole or in part by the Process Lithograph Company shall be granted, except as may hereafter be specifically authorized in writing by the War Production Board as an exception to, or in modification of this order.

(c) Nothing contained in this order shall be deemed to relieve Process Lithograph Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Process Lithograph Company, its successors or assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14737; Filed, Aug. 9, 1945;  
11:29 a. m.]

## PART 1075—CONSTRUCTION

[L-41, Direction 6]

COMPLETION OF PROJECTS WHICH WERE  
STARTED IN VIOLATION OF L-41 AND HAVE  
BEEN STOPPED

The following direction is issued pursuant to Limitation Order L-41:

(a) In the past certain construction jobs costing more than the limits provided in L-41 have been stopped as a result of action by the War Production Board. This action may have taken various forms. In some cases the War Production Board has obtained injunctions in the Federal Courts against continuance of construction. In other cases a suspension order or a consent order or a "stop construction" telegram has been issued directing the builder to cease construction on a project. In other cases telegrams have been sent warning builders to "stop violating" Conservation Order L-41.

(b) The limits on the cost of construction permissible without War Production Board authorization under L-41 have been raised by recent amendments. Accordingly, some construction jobs which were violations when started would now be permissible without application. It is the general policy of the War Production Board in such cases to release the builder from the restrictions imposed by the issuance of "stop construction"

telegrams, suspension or consent orders or to recommend to the Court which granted the injunction that it be amended or dismissed. Releases from these restrictions will not be given, however, nor will recommendations be made to the Court in the case of an injunction, where completion of the construction would interfere with the war effort.

(c) If the total cost of the entire construction job, including both the cost of the part of the work previously done and the cost of its completion, is within the present applicable annual limit under paragraph (d) (1) of L-41 (after subtracting from the allowance the cost of any other jobs done on the unit within the present calendar year), and if the builder has stopped construction either voluntarily or because of a telegram from an official of the War Production Board instructing him to "stop violating" L-41, the builder may proceed with the work without consulting the War Production Board.

(d) On the other hand, if the continuance of the particular construction job has been specifically forbidden by an official "stop construction" telegram or by a consent or suspension order issued by the War Production Board or by an injunction granted by court, then it is necessary to apply for relief from the telegram, order or injunction before resuming construction, in spite of the fact that the cost of the entire construction job is within the present applicable annual limit under paragraph (d) (1) of L-41 and no priorities assistance is needed. If a suspension order has been issued, the request for relief should be made to the Chief Compliance Commissioner, War Production Board, Washington 25, D. C. If a consent order or "stop construction" telegram has been issued, the request should be made to the nearest field office of the War Production Board. If an injunction has been issued, the request for relief should be made to the Court which granted the injunction (in order to expedite the request, it is suggested that the information requested below be given to the War Production Board field office at the time relief is requested from the Court). The request should contain a statement of the nature and cost of the work previously done and a statement of the nature and cost of the work required for completion. The request should also state whether any other construction work has been done on the unit in question during the present calendar year.

(e) The instructions given above apply when authorization under L-41 is not needed for the completion of the job. If the total cost of the entire construction job, including both the cost of the part of the work previously done and the cost of completion, is in excess of the limit provided in paragraph (d) (1) of L-41, an application for permission under L-41 to complete the job should be filed as indicated in paragraph (f) of that order. The applicant should give, either on the application or in a letter attached to the application, full information about beginning the construction (including a statement of the nature and cost of the work previously done and a statement of the nature and cost of the work required for completion) and about the circumstances under which construction was stopped, referring particularly to any stop telegram, suspension or consent order or injunction. An application may also be filed for priorities assistance for work which may be resumed without getting permission under L-41 (as indicated in paragraph (c)), in which case the instructions previously given in this paragraph should be followed.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-14739; Filed, Aug. 9, 1945;  
11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER[Conservation Order M-103, as Amended  
Aug. 9, 1945]

## DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.266 *Conservation Order M-103—(a) Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resins, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt and Fast Red A. L. Base, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(8) "Producer" means any person in the United States engaged in the production of organic coloring matter.

(b) *Restrictions on delivery—*(1) *Class A.* No person shall in any calendar quarter deliver to any one person more than 25 pounds of any Class A dyestuffs and no one person shall in any calendar quarter accept a total of more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) *Restrictions on export* and except as provided in paragraph (d) *General exceptions*. However, in any quarter any person may deliver or accept delivery of Class A dyestuffs in an amount not in excess of his quota of Class B dyestuffs, Provided, however, That his total deliveries or acceptance of deliveries of Class A and Class B dyestuffs shall not exceed the amount of his Class B quota.

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (*General exceptions*) and in paragraph (b) (3), no person shall in any calendar quarter, deliver any Class B, C, or D dyestuffs for use in the United States or Canada or

accept delivery of any Class B, C, or D dyestuffs for use in the United States, in excess of the quantities specified in the following schedule:

May deliver	May accept delivery
Class B. 25% of combined amount of Class A and B dyestuffs delivered to all persons in 1941 for such use plus 250 pounds. (For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)	25% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.
Class C. 17½% of value of Class C dyestuffs delivered to all persons in 1941 for such use plus \$250 value.	17½% of value of Class C dyestuffs received from all sources in 1941, plus \$250 value.
May deliver	May accept delivery
Class D. 20% of value of Class D dyestuffs delivered to all persons in 1941 for such use plus \$250 value.	20% of value of Class D dyestuffs received from all sources in 1941, plus \$250 value.
(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)	

(3) *Acceptance of delivery of dyestuffs for redyeing used apparel and household furnishings.* Except as provided in paragraph (d) no person shall in any calendar quarter accept delivery of any Class B, C or D dyestuffs for redyeing used apparel and household furnishings in the United States in excess of the quantities specified in the following schedule:

Class B. 25% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C. 25% of value of Class C dyestuffs received from all sources in 1941, plus \$250 value.

Class D. 25% of value of Class D dyestuffs, received from all sources in 1941, plus \$250 value.

The seller may rely upon a signed statement by the buyer that he is authorized to accept delivery under this subparagraph (3). If he has knowledge of this fact, he may waive the signed statement.

(4) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on exports—*(1) *General restrictions.* No person or corporation shall export or deliver for export from the United States to any place other than Canada any dyestuffs except either upon orders accompanied by in-

dividual export licenses issued by the Foreign Economic Administration (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act). The applications for licenses must be accompanied by a statement that the amount requested for export is within the applicant's export quota under this order.

The total value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so exported or delivered in any quarter shall not exceed:

(i) 1½% of the total value of all dyestuffs delivered by him in 1941 plus

(ii) 25½% of the total value of dyestuffs exported or delivered for export by him from the United States to all places other than Canada in 1941.

(2) *Further restrictions on Class A, B and C.* The amount of dyestuffs, exclusive of the exceptions provided in paragraph (d), which may be exported or delivered for export from the United States to all places other than Canada in any calendar quarter, shall not exceed:

(i) As to Class A dyestuffs, ½ of 1% of the total value of all Class A dyestuffs delivered by him in 1941.

(ii) As to Class B dyestuffs, 2% of the total of all Class B dyestuffs delivered by him in 1941.

(iii) As to Class C dyestuffs, 2¼% of the total value of all Class C dyestuffs delivered by him in 1941.

(3) *Carry-over of undelivered portion of export quota.* Amounts of dyestuffs which may be exported or delivered for export from the United States to all places other than Canada in any calendar quarter and which have not been exported or delivered for export in such quarter, may be exported or delivered for export in the following quarter in addition to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) General exceptions. (1) The restrictions in subparagraphs (1), (2) and (3) of paragraph (b) Restrictions on delivery shall not apply to the delivery or acceptance of delivery of dyestuffs between or among producers and exclusive sales agents of producers.

(2) The restrictions in subparagraphs (1), (2) and (3) of paragraph (b) Restrictions on delivery and the restrictions in paragraph (c) Restrictions on export shall not apply to the delivery or acceptance of delivery of dyestuffs:

(i) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing, or the Government of Canada;

(ii) For ultimate delivery to any of the agencies mentioned in subparagraph (i) of this paragraph (d) (2) or for use to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(iii) For use in the manufacture of materials for uniforms as described in subdivisions (i) to (ix), inclusive, of paragraph (e) (1) of General Limitation Order L-224 (Clothing for Men and Boys) and in paragraph (d) (10) of General Limitation Order L-85 (Apparel for Feminine Wear);

(iv) For coloring gasoline and tractor fuels;

(v) For chemical indicators or bacteriological stains;

(vi) For medicinal, therapeutic or diagnostic uses;

(vii) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drugstore, etc.) of dyestuffs in containers not exceeding 8 ounces in content;

(viii) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), (2) were nevertheless used for one or more of such purposes; or

(ix) For purposes other than coloring (e. g. rubber chemicals);

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (1), (2) (ii), (iii), (iv), (v), (vi) or (viii) of this paragraph (d), shall be made only upon the receipt by the vendor from the purchaser of the certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that

the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(Date)	(Name of purchaser)
By _____	
(Name & title of duly authorized official)	

(e) The War Production Board may authorize the delivery and acceptance of delivery, export of and delivery for export of additional quantities of Classes A, B, C and D dyestuffs to be used as specifically directed. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order. Applications by letter for authorizations under this paragraph may be filed by producers of dyestuffs or commercial dyestuff users. Authorizations for the delivery and acceptance of delivery of additional quantities of Classes A, B, C, or D dyestuffs for domestic use (excluding dyestuffs to be used domestically in dyeing apparel for export) may be granted to the extent that it is necessary for the user to obtain additional dyestuffs to carry out a War Production Board order, direction, or approved program. Additional dyestuffs shall be deemed necessary when the user has insufficient supply of dyestuffs to carry out such orders, directions, or approved programs provided he is not using any of his regular quota to dye or print any material a deeper shade than a standard consistent with available supplies of dyestuffs and the need for the particular shades in carrying out War Production Board orders, directions, and approved programs. The granting of authorizations among dyestuff users participating in the same approved program or direction shall, insofar as practicable, be based on their proportionate participation in such program or direction. Authorizations for dyestuffs to be used in dyeing apparel for export may be granted when the dyestuffs will be used to fill contracts or subcontracts of a government agency or for other essential export uses. Authorization which in the aggregate would require more than a total of 2 per cent of the domestic dyestuff production for export as dyestuffs, or for use in re-dyeing apparel for export, will be granted only upon program determinations.

Any person who did not deliver or accept deliveries of dyestuffs covered by this order during 1941 may, nevertheless, on application to the War Production Board be granted quotas on an equitable basis in view of the quotas of other persons in the industry. This application should be made by letter stating the products the applicant proposes to manufacture which will require dye intermediates or dyestuffs; and what his present facilities are for the manufacture or processing of these products. Quotas for delivery or acceptance of deliveries of dyestuffs will be granted where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(f) Treatment of mixtures. In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 90% of the value of such mixture, such mixtures shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(g) Restrictions on use of specific dyestuffs. No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azoic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annatto or annatto extracts for coloring any materials other than food products.

(h) Restrictions on inventory. In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(i) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) General prohibitions. No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

(k) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(l) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(m) Communications to the War Production Board. All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M-103.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## LIST A

## PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097.
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.

## PART II—TRADE NAMES

Amanthrene dark olive B.  
 Amanthrene Khaki 2G Pr 122.  
 Amanthrene olive R CI 1150.  
 Amanthrene olive green B.  
 Calcoloid golden orange RRTD CI 1097.  
 Calcosol brown G CI 1152.  
 Calcosol brown R CI 1151.  
 Calcosol brown RP CI 1151.  
 Calcosol golden orange RRTD CI 1097.  
 Calcosol golden orange RRTF CI 1097.  
 Calcosol khaki G Pr 122.  
 Calcosol olive R CI 1150.  
 Carbanthrene brown AR CI 1151.  
 Carbanthrene brown AG CI 1152.  
 Carbanthrene golden orange RRT CI 1097.  
 Carbanthrene prtg. golden orange RRT CI 1097.  
 Carbanthrene khaki 2G Pr 122.  
 Carbanthrene olive R CI 1150.  
 Cibanone brown BG CI 1152.  
 Cibanone brown GE CI 1151.  
 Cibanone golden orange 2R CI 1097.  
 Cibanone olive 2R CI 1150.  
 Indanthrene brown FRA CI 1151.  
 Indanthrene brown GA CI 1152.  
 Indanthrene brown GAF CI 1152.  
 Indanthrene brown GAP CI 1152.  
 Indanthrene brown GWF CI 1152.  
 Indanthrene brown GWP CI 1152.  
 Indanthrene brown RA CI 1151.  
 Indanthrene brown RAP CI 1151.  
 Indanthrene brown RWP CI 1151.  
 Indanthrene khaki 2GA Pr 122.  
 Indanthrene khaki 2GF Pr 122.  
 Indanthrene khaki 2GWF Pr 122.  
 Indanthrene olive green BA.  
 Indanthrene olive RA CI 1150.  
 Indanthrene olive RAP CI 1150.  
 Indanthrene olive RW CI 1150.  
 Indanthrene olive RWF CI 1150.  
 Indanthrene orange REIA CI 1097.  
 Indanthrene orange RRTF CI 1097.  
 Indanthrene orange RRTF CI 1097.  
 Indanthrene orange RRTW CI 1097.  
 Indanthrene olive T.  
 Ponsol brown AG CI 1152.  
 Ponsol brown AR CI 1151.  
 Ponsol brown AR CI 1151.  
 Ponsol green 2BL.  
 Ponsol golden orange RRT CI 1097.  
 Ponsol golden orange RRTS CI 1097.  
 Ponsol khaki 2G Pr 122.  
 Ponsol olive AR CI 1150.  
 Ponsol olive ARS CI 1150.  
 Ponsol olive GGL.

[F. R. Doc. 45-14731; Filed, Aug. 9, 1945;  
 11:30 a. m.]

## PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[General Limitation Order L-2-g, as Amended Aug. 9, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials entering into the production of passenger automobiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.36 *General Limitation Order L-2-g—(a) Definitions.* As used in this order.

(1) "Automobile" means any self-propelled vehicle designed for the purpose of carrying passengers, or the chassis therefor, with a seating capacity of not more than ten. The term "automobile" includes station wagons, taxicabs, ambulances and hearses.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person who was regularly established in the business of manufacturing automobiles at any time during the period August 1, 1941 to November 30, 1941, or who at any subsequent date has received a written authorization to produce automobiles issued under this order.

(b) *Limitation on production of passenger automobiles.* The War Production Board will authorize the production of automobiles on and after July 1, 1945 by written authorizations, specifying the quantities and the period in which production is to be made. No person shall produce any automobiles except as so authorized.

(c) *Basis for authorizations.* (1) The War Production Board will determine the total number of automobiles the production of which can be permitted without interference with the war effort. This total will be divided among the different producers in the same proportion as the production which was authorized for the period August 1 to November 30, 1941, subject to such compensating adjustments as may be necessary to take care of new producers or for other reasons.

(2) Any person who was not established in 1941 as a producer of automobiles but who wishes to engage in that business and to receive a written authorization to produce automobiles, and any person who upon receipt from the War Production Board of a written authorization to produce automobiles believes that he is entitled to produce a larger quantity than authorized, may apply for permission to do so as explained in Priorities Regulation 25.

(d) *No general priorities assistance to be granted.* The War Production Board cannot undertake to assure producers that they will be able to get all the materials needed for the production authorized. It is not the policy of the Board to make allotments of controlled materials or to assign preference ratings to cover the authorized production.

(e) *Restrictions on various materials remain in effect.* A number of materials normally used in the production of automobiles are expected to continue in short supply and various War Production Board orders restricting their delivery or use remain in effect. Consequently, producers of automobiles and of automotive parts will, in many cases, have to find substitutes for such materials.

(1) *Prohibition on spare tires for new automobiles.* No producer shall equip any automobile with more than four new tires, nor shall any producer or any other

person sell, ship or deliver any automobile equipped with more than four new tires.

(f) *Production subject to rationing by Office of Price Administration.* The automobiles, except ambulances and hearses, produced pursuant to this order will be subject to the rationing procedures of Ration Order 2-B or subsequent ration orders of the Office of Price Administration.

(g) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Reports.* Producers shall file such reports as may be required from time to time by the War Production Board.

(j) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L-2-g.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
 Recording Secretary.

[F. R. Doc. 45-14729; Filed, Aug. 9, 1945;  
 11:30 a. m.]

## PART 3293—CHEMICALS

[Conservation Order M-387 as Amended Aug. 9, 1945]

## ROSIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rosin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.646 *Conservation Order M-387—(a) Definitions.* (1) "Gum and wood rosin" means gum and wood rosin as defined by the Naval Stores Act of March 3, 1923, and the regulations issued by the Acting Secretary of Agriculture on April 22, 1941 under that act. However, the term "rosin" when not expressly limited to gum or wood rosin, means the gum or wood rosin content of any intermediate product as well as gum or wood rosin as such.

(2) "Intermediate product" means any product containing gum or wood rosin



capable of use in the manufacture of a Schedule A or B product. The term includes but is not limited to mixing and grinding vehicles containing rosin, esterified rosin (ester gum), rosin modified phenolic resin, rosin modified maleic or fumaric resins, rosin modified phthalic alkyd resins, gloss oil, and the following products as defined in General Preference Order M-340: heat-treated rosin, stabilized rosins, polymerized rosin and metal resinates. The only intermediate products which need not be considered for the purpose of this order are specified in paragraph (e) (2).

(3) "Manufacturer" means any person who uses rosin in the manufacture of any product, or any person who has rosin manufactured for him into any product pursuant to toll arrangement.

(4) "Producer" means any person who produces gum or wood rosin.

(5) "Rosin quota" means the amount of rosin any manufacturer may use in any calendar quarter for the manufacture of any product on Schedules A or B. Each manufacturer has a separate rosin quota for each product on Schedules A and B. His quota for a Schedule A product amounts to the percentage (set opposite that product) of the quantity of rosin he put into process for the manufacture of that product to fill all orders (both preferred and civilian) during the corresponding calendar quarter of 1944. His quota for a Schedule B product amounts to the percentage (set opposite each product) of the quantity of rosin he put into process for the manufacture of that product to fill civilian orders only during the corresponding calendar quarter of 1944.

(6) [Revoked May 30, 1945.]

(7) [Revoked May 30, 1945.]

(8) "Preferred order" means a purchase order for a product (i) if the order is rated under Preference Rating Orders P-65 or P-149; or (ii) if the product is to be delivered to, used on, or incorporated in material and equipment to be delivered to the United States Army, Navy, Marine Corps, Coast Guard, Veterans' Administration, Maritime Commission, War Shipping Administration, War Food Administration, Bureau of Engraving and Printing, United States Government Printing Office, Panama Canal, Office of Scientific Research and Development, or any Government agency, when purchasing pursuant to the act of March 11, 1941 (Lend Lease Act).

(9) "Civilian order" means any purchase order that is not a "preferred order" as defined above.

(10) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping, or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(11) "Protective coating" means any liquid organic coating, thinner, or remover which either alone or mixed with other materials is normally applied to any surface by brush, spray, dip, roller coat, or other method of application. The term includes but is not limited to

paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, stain and polishing waxes. The term does not include adhesive, cement, printing ink, coating for the manufacture of coated fabric, coating for leather (limited to hides, skins and splits, etc., which have not been incorporated into any product), coating for footwear (of any material, including leather) and coatings for manufacture of linoleum or felt base covering.

(12) "Soap" means the water soluble product formed by the saponification or neutralization of rosin, fats, oils, or their fatty acids, with organic, ammonium, sodium or potassium bases; or any composition containing such products. The term includes all types of shaving soaps and shaving creams, but shall not include soap used for nondetergent purposes and soap for industrial degreasing of metal tooling or metal fabrication.

(13) "Put into process" means the first change made by a manufacturer in the chemical or physical properties of gum or wood rosin, or of any intermediate product which he uses as such in the manufacture of a Schedule A or B product. For example, if gum or wood rosin is added as such to a kettle of other material in the final process of making a protective coating, the gum or wood rosin in question would be considered to have been "put into process" when it was put into the kettle. On the other hand, if gum or wood rosin is first compounded into a synthetic resin, and the synthetic resin subsequently is added to the kettle of other materials in the final process of making a protective coating, the rosin content in question would be considered to have been "put into process" when the synthetic resin was added to the kettle in the final stage of manufacture of the protective coating.

(b) *Restrictions on use.* (1) During the period from February 28 through March 31, 1945, inclusive, no manufacturer shall put into process for the manufacture of any product on Schedule A or B, more rosin than  $\frac{1}{2}$  of his rosin quota for the manufacture of that product.

(2) During the second calendar quarter of 1945, and during each calendar quarter thereafter, no manufacturer shall put into process for the manufacture of any product on Schedule A or B, more rosin than his rosin quota for the manufacture of that product.

(3) Rosin put into process to fill "preferred orders" for Schedule B products after February 28, 1945, shall not be charged against any rosin quota, notwithstanding paragraphs (b) (1) and (2) above.

(4) The use of rosin in the manufacture of products not on Schedule A or B is not restricted by paragraphs (b) (1) or (2) above.

(c) *End of quarter carry-over.* If, in any calendar quarter, a manufacturer does not use all of his rosin quota for the manufacture of any Schedule A or B product, the unused balance may be carried forward and used only in the succeeding calendar quarter for the manufacture of that product. Balances permitted to be carried over under this paragraph may be used in addition to the reg-

ular quota permitted by paragraph (b) for the quarter during which the carry-over is used. For example, if a manufacturer has a quota of 50,000 pounds per quarter for the manufacture of adhesives, and uses only 30,000 pounds in the first quarter of 1945, he has a carry-over of 20,000 pounds which he may consume for the manufacture of adhesives in the second quarter of 1945 in addition to his regular quota of 50,000 pounds. If, however, in the second quarter of 1945, he actually consumes only 40,000 pounds for adhesives, he has a carry-over for the third quarter of 1945 of only 10,000 pounds, viz., the difference between what was actually consumed (40,000 pounds) and his regular quota for that quarter (50,000 pounds). The 20,000 pound carry-over from the first quarter of 1945 is disregarded in determining the unused balance of his quota at the end of the second quarter of 1945.

(d) *Toll arrangements.* For the purpose of this order a toll arrangement is an arrangement under which rosin owned by one person (referred to as "the owner") is manufactured into a Schedule A or B product for the owner by another person (referred to as the "processor"). Toll arrangements are subject to the following restrictions:

(1) Any quantity of rosin put into process for the production of any product on Schedule A or B under toll arrangement during any calendar quarter shall be charged against the owner's rosin quota instead of the processor's, if the owner manufactured the product himself or had it manufactured for him during the corresponding calendar quarter of 1944.

(2) Any quantity of rosin put into process, under toll arrangement during any calendar quarter, for the production of any product on Schedule A or B, must be charged against the rosin quota of the processor and not against the rosin quota of the owner, if the owner did not manufacture that product nor have it manufactured for him during the corresponding quarter of 1944.

(3) Any processor who is offered rosin for processing on toll arrangement shall assume that he is required to charge the rosin against his own rosin quota, unless he is advised in writing by the owner that the owner manufactured the same product or had it manufactured for him during the calendar quarter of 1944 corresponding to the calendar quarter in which the rosin is to be put in process, and that the quantity offered can and will be charged against the owner's rosin quota.

(4) Quantities required to be charged against a rosin quota pursuant to this paragraph (d) shall be considered as having been put into process by the holder of the quota for the purpose of compliance with paragraph (b) above.

(e) (1) *Method of computing rosin content of intermediate products.* Since the provisions of this order refer not only to gum and wood rosin as such put into process in the making of Schedule A or B products, but also refer to the rosin content of intermediate products put into process for the manufacture of Schedule A or B products, it is necessary for man-

manufacturers to determine rosin content of intermediate products in some cases, not only to determine quotas and quantities to be charged against quotas, but also for the purpose of inventory and reporting provisions. In figuring the rosin content of the intermediate products

listed below, a manufacturer shall use the estimated rosin content appearing after each of those intermediate products in order to determine both his rosin quota and his current consumption. For all other intermediate products, the rosin content must be ascertained.

Intermediate products	Estimated rosin content (solvent free basis)
Esterified rosin.....	96 lbs. of rosin per 100 lbs. of resin.
Rosin-modified phenolic resin.....	85 lbs. of rosin per 100 lbs. of resin.
Heat-treated rosins.....	100 lbs. of rosin per 100 lbs. of heat-treated rosins.
Stabilized rosins.....	100 lbs. of rosin per 100 lbs. of stabilized rosins.
Polymerized rosins.....	100 lbs. of rosin per 100 lbs. of polymerized rosins.
Metal resinates.....	90 lbs. of rosin per 100 lbs. of metal resinates.
Rosin modified maleic or fumaric resins....	80 lbs. of rosin per 100 lbs. of resin.
Rosin modified phthalic alkyd resins.....	20 lbs. of rosin per 100 lbs. of alkyd resin.
Rosin oil.....	100 lbs. of rosin per 100 lbs. of rosin oil.

(2) *Special exemption for certain intermediate products.* No manufacturer shall include the rosin content of the following intermediate products for the purpose of calculating his past or current consumption of rosin in the manufacture of Schedule A or B products, or for the purpose of inventory or reporting provisions, notwithstanding any other provisions of this order:

Resinated colors.

Any intermediate products containing not more than 1% rosin by weight (solvent free basis).

(3) *Special provisions for mixing and grinding vehicles.* Any manufacturer who produces his own mixing or grinding vehicles for incorporation into Schedule A or B products which he himself produces, may charge his rosin consumption at the time he completes production of the mixing or grinding vehicle, if he so desires, instead of at the time when he uses the mixing or grinding vehicle in the manufacture of the Schedule A or B product. However, he must use the same timing basis in the production cycle for the purpose of computing current and base period consumption, and must continue to use the same timing basis for present and future computations under this order.

(f) *Inventory restrictions on rosin.*  
(1) No manufacturer shall accept any delivery of gum or wood rosin which would result in his having more than a five months inventory of gum and wood rosin, based on his current rate of operation.

(2) No manufacturer shall accept delivery of any intermediate product, or produce any intermediate product, if his acceptance or production would result in his having more than a three months inventory of that type of intermediate product, based on his current rate of operation.

(3) The term inventory refers to stocks owned by the manufacturer which are at factory, in intra-plant transfer, or stored elsewhere. However, nothing contained in this paragraph shall prevent a manufacturer from accepting one minimum standard commercial shipping unit if his inventory before acceptance is within the maximum limit set by this paragraph and if his inventory after acceptance is not more than twice the maximum limit set by this paragraph.

(g) *Restrictions on delivery of gum and wood rosin, and of intermediate products.* No producer or distributor of gum or wood rosin, or of any intermediate product, shall deliver such gum or wood rosin, or such intermediate product, and no manufacturer shall accept such delivery, unless the manufacturer certifies to the producer or distributor that his acceptance of delivery will not result in his having an inventory in excess of the applicable restrictions in paragraph (f) of this order. This certification, signed manually or as provided in Priorities Regulation 7, may be endorsed on or attached to the purchase order, and should read substantially as follows:

Inventory certified—Ref: M-387, paragraph (g).

(Name of purchaser)

By \_\_\_\_\_  
(Name and title of duly authorized official)

(h) [Revoked May 30, 1945.]

(i) *One time report.* On or before March 20, 1945, each manufacturer who put into process more than 2,700 pounds (5 drums) of rosin in the aggregate for all products (including Schedule A and B products and intermediate products) during any calendar quarter of 1944, shall file a one time base period use and inventory report on Form WPB-4132, in the manner prescribed therein. One copy of the report shall be retained and one copy shall be forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-387.

(j) *Quarterly report.* Each manufacturer who puts into process more than 2,700 pounds (5 drums) of rosin during any calendar quarter for the production of Schedule A or B products, shall file a use and inventory report for that quarter on Form WPB-4131, in the manner prescribed therein, on or before the 20th day of the month following the close of that quarter. The initial reports, covering the first quarter of 1945, are due April 20, 1945. One copy of each report shall be retained and one copy shall be forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C.

(k) *Appeals.* Any appeal from this order must be filed by letter in duplicate addressed to the Chemicals Bureau, War Production Board, Washington 25, D. C., Ref: M-387, setting forth the reasons for the appeal and the necessary sup-

porting information. Such information should include:

(1) The Schedule A or B product for which the rosin will be used, and if a Schedule A product, what quantity of the rosin will be used to fill preferred orders and what quantity to fill civilian orders.

(2) Period of time, not exceeding one calendar quarter, for which relief is requested.

(3) Monthly schedule of the amount of rosin-appellant would like to use for the particular product and the portion of this which is in excess of the quota permitted by the order.

(4) If the appeal is for an increase in quota to fill preferred orders, state the name of the procuring agency, the end use description, prime contract numbers and dates when the orders were received.

(5) If the appeal is filed because the restrictions of the order will prevent the filling of civilian orders of extreme urgency, give exact information as to the use of the product in which the rosin would be used, names of the customers, and preference ratings, if any, covering the orders.

(6) Any other information pertinent to the appeal.

Ordinarily consideration will be given only to those appeals where compliance would work an exceptional and unreasonable hardship which is not suffered generally by others in the same industry or activity, and which show that the quota limits on the consumption of rosin will prevent the filling of "preferred orders" or more essential "civilian orders". Attention is called to the provisions in Priorities Regulation No. 16 with respect to manpower requirements which must be submitted with the appeal.

(l) *Budget Bureau approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(o) *Communications to War Production Board.* Communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-387.

Issued this 9th day of August 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A—ROSIN QUOTAS FOR SCHEDULE A PRODUCTS

Note: No ex-quota usage of rosin is permitted to fill "preferred orders" for these products:

Product:	Rosin quota per calendar quarter
Foundry supplies.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Insecticides or disinfectants.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Oils and greases.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Paper and paperboard.....	70% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Pharmaceuticals.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Printing ink.....	85% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Rubber, natural & synthetic except rubber cement and rubber adhesives.	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Rubber cements, rubber adhesives and rubber coatings for fabrics.	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Finish for shoe leathers, shoe components made of leather, and binder for cork bottom filler for shoes, but not including shoe polish.	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.
Textile shoe fabrics and felts, and binder for boxtoes and cork counter for shoes.	70% of amount of rosin used in corresponding quarter of 1944 to fill all orders (preferred & civilian) or 2700 lbs. (5 drums) whichever is greater.

## SCHEDULE B—ROSIN QUOTAS FOR SCHEDULE B PRODUCTS

Note: Ex-quota usage of rosin is permitted to fill "preferred orders" for these products:

Product:	Rosin quota per calendar quarter
Adhesives.....	30% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.
Coated fabrics.....	30% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.
Linoleum and printed floor coverings.....	30% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.
Protective coatings including paints, varnishes, lacquers, etc.	30% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.
Shoe polish.....	30% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.
Soap.....	25% of amount of rosin used in corresponding calendar quarter of 1944 to fill civilian orders only, or 2700 lbs. (5 drums) whichever is greater.

[F. R. Doc. 45-14732; Filed, Aug. 9, 1945; 11:30 a. m.]

## Chapter XI—Office of Price Administration

## PART 1340—FUEL

[MFR 120, Corr. to Amdt. 146]

## BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 146 is corrected in the following respect:

In § 1340.210 (a) (16) the types of mines and amounts in cents per ton set opposite District No. 17 are corrected to read as follows:

District No.:	Cents per ton
17	Hand..... 30
	Other..... 25

This correction to Amendment No. 146 shall be effective as of August 3, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14659; Filed, Aug. 8, 1945; 4:25 p.m.]

## PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MFR 363, Amdt. 2]

## DRY ROOFING FELT AND DRY FLOORING FELT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 369 is amended in the following respects: The table of prices in Appendix A is amended to read as follows:

## MAXIMUM PRICES

Weight per 480 square feet:	Maximum price per short air dry ton, f. o. b. point of shipment
Less than 60 pounds.....	\$59.00
60 pounds or more.....	63.00

This amendment shall become effective August 8, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Amendment to Revised Price Schedule No. 45, as amended, is necessary to aid in the effective prosecution of the war.

THOMAS I. EMERSON,  
Acting Economic Stabilization Director.  
[F. R. Doc. 45-14660; Filed, Aug. 8, 1945; 4:26 p.m.]

## PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MFR 563, Amdt. 3]

## MAXIMUM PRICES FOR USED MOTORCYCLES

## Correction

In Federal Register Document 45-10161, appearing at page 6955 of the issue for Tuesday, June 12, 1945, the word "when" should be deleted from the beginning of subdivisions (a), (b), (c) and (d) of paragraph (b) (2) (ii).

## PART 1418—TERRITORIES AND POSSESSIONS

[MFR 395, Amdt. 6]

## IMPORTED CANNED SOUPS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

\* 8 F.R. 16247; 9 F.R. 8187.

\* 10 F.R. 6341, 6346, 7193, 8539.

Section 49 is added to read as follows:

Sec. 49. *Maximum prices for imported varieties of canned soups sold or delivered in the Virgin Islands of the United States*—(a) *Definitions*. When used in this section, the term:

(1) "Imported" as applied to canned soups means canned soups not actually produced or manufactured in the Virgin Islands of the United States.

(b) *Maximum prices*. The maximum prices at retail and at wholesale for certain imported canned soups shall be the applicable prices set forth in Table XXXIX.

TABLE XXXIX—MAXIMUM PRICE FOR IMPORTED VARIETIES OF CANNED SOUPS

Items and brand names	Unit	Price at wholesale St. Croix, St. Thomas (per unit)	Retail price St. Croix, St. Thomas (per unit)	Retail price St. John (per unit)
Campbell soups: Case of 48:				
Asparagus.....	10½ oz. tins.	\$5.80	\$0.15	\$0.16
Bean.....	do.	5.80	.15	.16
Bean with bacon.....	do.	5.80	.15	.16
Black bean.....	do.	5.80	.15	.16
Clam chowder.....	do.	5.80	.15	.16
Green pea.....	do.	5.80	.15	.16
Mock turtle.....	do.	5.80	.15	.16
Pepper pot.....	do.	5.80	.15	.16
Scotch broth.....	do.	5.80	.15	.16
Ox tail.....	do.	5.80	.15	.16
Beef noodle.....	do.	7.10	.18	.19
Beef.....	do.	7.10	.18	.19
Bouillon.....	do.	7.10	.18	.19
Chicken.....	do.	7.90	.20	.21
Chicken gumbo.....	do.	7.10	.18	.19
Chicken noodle.....	do.	7.10	.18	.19
Consomme.....	do.	7.10	.18	.19
Cream of mushroom.....	do.	7.90	.20	.21
Tomato.....	do.	5.45	.14	.15
Vegetable.....	do.	6.24	.16	.17
Vegetable beef.....	do.	7.10	.18	.19
Heinz soups: Case of 36:				
Cream of asparagus.....	No. 1 tins.	5.70	.18	.19
Bean.....	do.	5.70	.18	.19
Beef noodle.....	do.	6.10	.19	.20
Beef soup with vegetables.....	do.	6.50	.21	.22
Chicken noodle.....	do.	6.50	.21	.22
Cream of green pea.....	do.	5.70	.18	.19
Gumbo creole.....	do.	5.70	.18	.19
Mushroom.....	do.	6.50	.21	.22
Scotch broth.....	do.	5.70	.18	.19
Cream of tomato.....	do.	4.95	.16	.17
Vegetable.....	do.	5.70	.18	.19
Vegetarian vegetable.....	do.	5.70	.18	.19

This amendment shall become effective August 13, 1945.

Issued this 8th day of August, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14662; Filed, Aug. 8, 1945; 4:26 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 56 to 2d Rev. Supp. 1]

##### MEAT, FATS, FISH AND CHEESES

The Official Table of Consumer Point Values (No. 28), referred to in § 1407.3027 (a) is amended by deleting the point value of "Type I fresh pork sausage (including breakfast sausage)" and "Type I smoked pork sausage" and adding a point

value of 6.0 points per pound to "Type IV fresh pork sausage (including breakfast sausage)" and "Type IV smoked pork sausage" and "Section A—Meats" of the Official Table of Trade Point Values (No. 28), referred to in § 1407.3027 (a) is amended by deleting the point value of "Type I fresh pork sausage (including breakfast sausage)" and "Type I smoked pork sausage" and adding a point value of 5.5 points per pound to "Type IV fresh pork sausage (including breakfast sausage)" and "Type IV smoked pork sausage."

This amendment shall become effective August 8, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14663; Filed, Aug. 8, 1945; 4:25 p. m.]

#### PART 1429—POULTRY AND EGGS

[RMPP 333, Amdt. 8]

##### EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 333 is amended in the following respects:

1. Section 3.2 is amended by adding the following sentence to paragraph (j): "An agricultural marketing cooperative, operating in accordance with the provisions of the Capper-Volstead Act, may sell at the ceiling prices provided for first receivers, if it performs the function of a first receiver under the foregoing definition, regardless of the fact that it does not purchase or actually own the eggs."

2. Section 3.3 is amended by adding a new paragraph (g) to read as follows:

(g) Each Regional Administrator is further authorized to increase the maximum prices established for sales of shell eggs by first receivers and jobbers in an amount not to exceed 1.5 cents per dozen, subject to the following conditions:

(1) The price increase may be authorized only for first receivers and jobbers who maintain places of business in a metropolitan area (to be defined by the Regional Administrator) of more than one million population, on sales of eggs to independent retailers, large retailers at individual stores, retail route sellers, and institutional users, located within such metropolitan area.

(2) This price increase may be authorized only when the Regional Administrator finds that such first receivers and jobbers are compelled, by reason of doing business in the metropolitan area, to incur abnormal and excessive costs in candling and distributing eggs to such an extent that these costs generally exceed the amount allowed in the schedule of egg prices to cover such costs.

Each Regional Administrator may, if his findings so warrant, adjust prices

<sup>2</sup> 9 F.R. 11514, 12216; 10 F.R. 1609, 2025, 3221, 5523, 7343.

separately for first receivers or jobbers or licensed ship suppliers. More than one adjustment may be made under the provisions of this paragraph, but the total of all increases to any one class of dealers in any one metropolitan area shall not exceed 1.5 cents per dozen.

(3) No price increase shall be authorized under the provisions of this paragraph unless such proposed price increase has first been submitted in writing to, and approved in writing by the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division, and the Division Counsel for Food, of the Office of Price Administration, and the Secretary of Agriculture.

(4) No Regional Administrator may take any action which will create or tend to create an egg shortage or need for increase in egg prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

This amendment shall become effective August 13, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: July 16, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of Amendment No. 8 to Revised Maximum Price Regulation 333, insofar as it will involve increases in prices of shell eggs and consequent increases in the consumer cost of living, is necessary to correct gross inequities.

THOMAS I. EMERSON,  
Acting Economic  
Stabilization Director.

[F. R. Doc. 45-14659; Filed, Aug. 8, 1945; 4:25 p. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 114, Amdt. 1]

##### COTTON TEXTILES; WHEN PRODUCER MAY USE ADJUSTABLE PRICING PERMISSION

###### Correction

In Federal Register Document 45-11339, appearing at page 7850 of the issue for Thursday, June 28, 1945, the bracketed designation headnote should read as set forth above.

#### PART 1305—TERRITORIES AND POSSESSIONS

[Supp. Order 121, Correction]

##### SALES OF COMMODITIES BY GOVERNMENT AGENCIES AND REALES IN TERRITORIES AND POSSESSIONS OF U. S.

Section 1.1 is corrected to read as follows:

SECTION 1.1 *Geographical applicability*. This order shall apply in the terri-

<sup>1</sup> 10 F.R. 48, 521, 857, 293, 294.



ories and possessions of the United States, including the Territory of Alaska, notwithstanding the provisions of Revised Maximum Price Regulation 194, and the Virgin Islands of the United States, notwithstanding the provisions of Maximum Price Regulation 201.

This correction shall become effective as of August 1, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14718; Filed, Aug. 9, 1945;  
11:21 a. m.]

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[MPR 400, Amdt. 3]

**MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 400 is amended in the following respect:

In the Percentage Mark-up Table of Appendix C, a new paragraph is added in the Differentials column of Item C-2 to read as follows:

*Mimeograph and duplicator papers.* For mimeograph or duplicator papers made of plain or coated book papers, a color differential paid to the manufacturer plus 25%, rounded out to the nearest 5 cents, may be added after the mark-up.

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14715; Filed, Aug. 9, 1945;  
11:23 a. m.]

**PART 1356—COOKERS AND HEATERS**

[MPR 64, Amdt. 2]

**DOMESTIC COOKING AND HEATING STOVES**

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 64 is amended in the following respects:

1. Section 7 (c) is amended to read as follows:

(c) *Downward adjustment in prices established or reported for new or changed models.* Prices for new or changed models established or reported under section 4, 5, or 7 are subject to reduction at any time by written order from the Office of Price Administration if (1) the price appears to be out of line with prices established for similar models, taking into account your price relationships with other manufacturers during the base period, or (2) the price

is too high in comparison with the manufacturing or selling conditions actually experienced, or (3) the price is found to be incorrect under the provisions of the pricing method contained in this section. Any such adjustment will not be retroactive if you have an established maximum price and have met the three conditions specified in paragraph (b) of this section in arriving at and reporting your prices.

2. A new section 8a is added to read as follows:

**SEC. 8a. Establishment of ceiling prices in certain cases.** If you are required by this regulation to file a report under section 7 or to apply for the establishment of a ceiling price under section 8, and you fail to do so, or you fail to provide any of the information required in those sections, the Office of Price Administration may, upon its own motion, issue orders under this section fixing ceiling prices for your sales in line with the level of ceiling prices established by this regulation. Ceiling prices so established will be effective as of the date of first sale.

This amendment shall become effective the 14th day of August 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14709; Filed, Aug. 9, 1945;  
11:23 a. m.]

**PART 1367—FERTILIZERS**

[RMPR 240, Amdt. 3]

**PHOSPHATE ROCK**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new subdivision is added at the end of Appendix C of Revised Maximum Price Regulation 240 to read as follows:

**Finely Ground Phosphate Rock:**

*Price.* Basis net ton (2,000 lbs.) f. o. b. cars at mines in carload lots in bulk.

*Quality.* Phosphorus pentoxide (P<sub>2</sub>O<sub>5</sub>) on a dry basis minimum grade guaranteed and not more than 3 per cent moisture.

Ground not less than 85 per cent minus 200 mesh.

Grades:	Per ton
29% P <sub>2</sub> O <sub>5</sub> minimum	62.95
30% P <sub>2</sub> O <sub>5</sub> minimum	3.15
31% P <sub>2</sub> O <sub>5</sub> minimum	3.35
32% P <sub>2</sub> O <sub>5</sub> minimum	3.70
33% P <sub>2</sub> O <sub>5</sub> minimum	4.25
34% P <sub>2</sub> O <sub>5</sub> minimum	4.60
35% P <sub>2</sub> O <sub>5</sub> minimum	5.80

No charge for car liners or car door boards. Bagged. Add \$2.00 per net ton for ground rock, in 100 pound capacity multi-wall paper bags.

Add 50 cents per net ton for truckload shipments in bulk.

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14712; Filed, Aug. 9, 1945;  
11:22 a. m.]

**PART 1381—SOFTWOOD LUMBER**

[3d RMPR 219, Amdt. 1]

**NORTHEASTERN SOFTWOOD LUMBER**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Third Revised Maximum Price Regulation 219 is amended in the following respects:

1. In section 2, paragraph (a) is amended by adding the words "Aspen (all species)" after the parenthetical phrase "(Pinus banksiana)" and by deleting the words "and Maximum Price Regulation 513" and adding in place thereof the words "Revised Maximum Price Regulation 97."

2. In section 3, new paragraphs (c) and (d) are added, reading as follows:

(c) *Combination grades.* Lumber sold in a combination of grades for which no price is established in the regulation may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as merchantable and selected merchantable is the maximum price fixed for merchantable lumber. If the invoice does not name the lowest grade contained in the shipment or if no grade is named, the maximum price which may be charged is \$21.00 per M'BM. However, it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise easily made identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for the quantity of each grade shipped may be charged.

(d) *Ungraded lumber.* The maximum price for lumber which is not actually graded by the seller on a piece by piece basis prior to shipment and which is not sold on a long-run basis under Tables 2 or 4 is the applicable combination grade price established under paragraph (c) of this section.

3. Section 4 is amended to read as follows:

**Sec. 4. Additions for "direct mill retail sales."** In the case of sales of less than 2,500 feet to any buyer except mills or distribution yards, a handling charge of \$5.00 per M'BM may be added to the loaded on cars mill price, together with a percentage mark-up of 10% of the total so obtained, provided the seller:

(a) Delivers the lumber to the job site or buyer's plant at such time and in such quantities as the buyer specifies. (No charge may be made for delivery within a radius of 25 miles from the seller's establishment);

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material;

(c) Makes good any shortage from stocks kept on hand for this purpose. The size of the sale is determined by the over-all amount involved in the trans-

<sup>1</sup> 8 F.R. 7556, 11563; 9 F.R. 2289.

No. 159—3

<sup>2</sup> 9 F.R. 7435, 10 F.R. 1787, 4493.

<sup>3</sup> 9 F.R. 8062, 9313.

action. Thus, if the buyer and seller know that a particular shipment will run to 10 M'BM, the addition may not be made even if the order is broken into five orders of 2 M'BM and delivered on five different days in loads of 2 M'BM.

4. In section 7, paragraph (a) (1) is amended by adding the following sentence: "When an invoice does not contain a complete description of an item shipped, the maximum price which may be charged or paid for that item is that of the lowest priced item to which the incomplete description could be applied, not exceeding \$21.00 per M'BM on a shipment of a combination of grades if the invoice does not name the lowest grade contained in the shipment or if no grade is named."

5. In section 9, paragraph (d) is deleted; and in paragraph (b), subparagraph 11, roman numeral V is corrected to read IV, and a new subparagraph (13) is added reading as follows:

(13) Selling or buying Canadian lumber on a f. o. b. mill basis if the total cost of the lumber delivered to the designated location in the United States is greater than would have been the cost if the lumber had been sold on a delivered basis using the applicable basing point in section 18, 25, 29 or 36.

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14711; Filed, Aug. 9, 1945;  
11:22 a. m.]

#### PART 1389—APPAREL

[RMPR 578, Amdt. 1]

#### MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 578 is amended in the following respects:

1. Paragraph (b) of section 1 is redesignated subparagraph (2) of paragraph (a).

2. A new paragraph (b) is added to section 1 to read as follows:

(b) *Types of sales covered.* This regulation applies to all sales including sales at retail, sales at wholesale, sales by manufacturers and sales by manufacturing-retailers. These types of sales are defined as follows:

(1) *Sales at retail.* All sales to individual ultimate consumers by persons who sell garments in substantially the same form in which they purchase them are "sales at retail". Sales to industrial, commercial or institutional users are also "sales at retail" if made by persons who sell principally to individual ultimate consumers.

(2) *Sales at wholesale.* All sales to persons other than ultimate consumers

<sup>1</sup> 10 F.R. 9024.

by persons who sell garments in substantially the same form in which they purchase them are "sales at wholesale." "Sales at wholesale" also include sales to industrial, commercial or institutional users if they are made by persons who sell principally to persons other than individual ultimate consumers.

(3) *Sales by a manufacturer.* All sales by the person who fabricated the garment being sold, or who furnished the principal materials from which the garment was fabricated, are "sales by a manufacturer" unless they are "sales by a manufacturing-retailer", as defined in (4) below.

(4) *Sales by a manufacturing-retailer.* All sales to ultimate consumers by the person who fabricated the garment being sold, or who furnished the principal materials from which the garment was fabricated, are "sales by a manufacturing-retailer", if such person customarily sells to ultimate consumers most of the garments so fabricated.

3. A new paragraph, designated paragraph (c), is added to section 1 to read as follows:

(c) *Where this regulation applies.* This regulation covers sales in the 48 states and the District of Columbia.

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14716; Filed, Aug. 9, 1945;  
11:23 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 16]

#### USED REFRIGERATORS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 29 (c) is deleted.

This amendment shall become effective August 16, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14714; Filed, Aug. 9, 1945;  
11:23 a. m.]

#### PART 1433—FEATHERS AND DOWN

[MPR 318, Amdt. 6]

#### FEATHERS AND DOWN

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 318 is amended in the following respects:

<sup>1</sup> 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371, 8979.

<sup>2</sup> 8 F.R. 1682, 2029, 6476, 14349; 10 F.R. 4349, 6802.

Table II of § 1433.3 (b) of Maximum Price Regulation No. 318 is amended to read as follows:

TABLE II  
(Maximum price per pound)

Chicken and turkey	Feathers	Fibre
Body feathers,* regardless of the amount of fibre:		
Colored	\$0.18	
White	17/2	
Fibre (only when sold separately):		
Colored		\$0.21
White		25

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14713; Filed, Aug. 9, 1945;  
11:22 a. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 135]

#### FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 8 (Maximum Prices for Certain Berries), footnote reference 7 is added to items 10, 11, 12, 16, 17 and 18 in Column 5 and footnote reference 7 is added to read as follows:

\*During the period beginning August 9, 1945 and ending December 31, 1945, the Column 5 price for red raspberries grown in California shall be for Item 10 (pint) 23½¢, Item 11 (quart) 43¢ and for Item 12 (pound) 29¢; and the Column 5 price for black raspberries grown in California shall be for Item 16 (pint) 21¢, for Item 17 (quart) 40¢ and for Item 18 (pound) 27¢.

This amendment shall become effective 12:01 a. m. August 9, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 7, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-14661; Filed, Aug. 8, 1945;  
4:26 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 68]

#### MANUFACTURERS' AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

<sup>1</sup> 10 F.R. 7403, 7500, 7539, 7578, 7608, 7683, 7799, 8021, 8069, 8239, 8236, 8467, 8611, 8657, 8905, 8936, 9023, 9023, 9023, 9118, 9110.

Maximum Price Regulation No. 188 is amended in the following respect:

1. Section 1499.166, Appendix A is amended as follows:

Paragraph (b) (20) is amended by adding to the list of unclassified articles set forth therein the following:

Household sewing machine cabinets

This amendment shall become effective on the 14th day of August 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14710; Filed, Aug. 9, 1945;  
11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[2d Rev. SR 14, Amdt. 10]

HOG, CALF AND CATTLE PANCREAS GLANDS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Supplementary Regulation No. 14 is amended by adding a sentence to the last paragraph of section 1.2 (c) to read as follows: "If the hog, calf, or cattle pancreas glands are unfrozen and untrimmed, the applicable maximum price shall be reduced by not less than 5 cents per pound."

This amendment shall become effective August 14, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14708; Filed, Aug. 9, 1945;  
11:21 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Rev. Reg. 8, Order 3]

PART 8308—FOREIGN DISPOSAL

APPROVAL OF DELEGATION OF DISPOSAL AUTHORITY BY WAR OR NAVY DEPARTMENTS TO OTHER GOVERNMENT AGENCIES OR THEIR REPRESENTATIVES

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611) and in accordance with § 8308.4, it is hereby ordered, That:

1. Until the Office of the Army-Navy Liquidation Commissioner shall have established an office in any foreign area, the Surplus Property Board hereby approves any delegation by the War or Navy Departments of their authority as disposal agencies for the disposal of surplus property located in such area to any United States Government agency or to any person employed by or under the control of the War or Navy Departments or any United States Government agency.

2. Copies of all instruments delegating disposal authority pursuant to this order shall be filed promptly with the Board.

\* 10 F.R. 9540.

This order shall become effective on August 7, 1945.

SURPLUS PROPERTY BOARD,  
W. STUART SYLINGTON,  
Chairman.

EDWARD H. HELLER,  
Member.

ROBERT A. HURLEY,  
Member.

By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14705; Filed, Aug. 9, 1945;  
11:11 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S.O. 120-H]

PART 95—CAR SERVICE

BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of August, A. D. 1945.

Upon further consideration of the provisions of Service Order No. 120 (8 F.R. 5761), as amended (8 F.R. 15198, 15386), and good cause appearing therefor: It is ordered, That:

Service Order No. 120 (8 F.R. 5761), as amended (8 F.R. 15198, 15386), § 95.11, *Bituminous Coal*, be and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., August 12, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of all States; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. T. BARTEL,  
Secretary.

[F. R. Doc. 45-14678; Filed, Aug. 9, 1945;  
11:04 a. m.]

[S. O. 121-D]

PART 95—CAR SERVICE

ANTHRACITE COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of August A. D. 1945.

Upon further consideration of the provisions of Service Order No. 121 (8 F.R. 5821), as amended (8 F.R. 7403, 8683), and good cause appearing therefor; It is ordered, That:

Service Order No. 121 (8 F.R. 5821), as amended (8 F.R. 7403, 8683), § 95.12, *Anthracite Coal*, be and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., August 12, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of all States; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-14679; Filed, Aug. 9, 1945;  
11:04 a. m.]

[S. O. 359]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF LIVE POULTRY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of August A. D. 1945.

It appearing, that live poultry produced in midwestern states are urgently needed to supply the Armed Services;

It further appearing, that to provide and insure an adequate supply of such live poultry for the Armed Services, the Secretary of Agriculture has issued July 31, 1945, War Food Order No. 142, Part 1414—Poultry, effective at 12:01 a. m., e. w. t., August 13, 1945 (10 F.R. 8037), which provides that "No person shall ship or deliver poultry to a point more than 100 miles from the farm on which such poultry was produced \* \* \* (in states named in paragraph (a) hereof) \* \* \* unless the person making the delivery or shipment of such poultry holds a letter of authority from the Deputy Order Administrator \* \* \*";

It further appearing, that the Secretary of Agriculture has written to the Director of the Office of Defense Transportation August 3, 1945, advising of the urgent needs of the Armed Services and that the Director of the Office of Defense Transportation has requested this Commission to take such action as it deems appropriate and necessary; the Commission is of opinion that an emergency exists requiring immediate action in the section of the country described in paragraph (a) below: it is ordered, that:

(a) *Permit required for transportation by common carrier by railroad of live poultry.* No common carrier by railroad subject to the Interstate Commerce Act shall transport or move a railroad freight car or cars, loaded with live poultry, more than 100 miles from any point of origin in the States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, Illinois and Indiana, unless or

until such carrier has knowledge prior to the transportation or movement of such car or cars that a permit authorizing the carload shipment of such live poultry has been issued by the Secretary of Agriculture or his agent pursuant to the provisions of War Food Order No. 142 or supplements thereto or successive issues thereof.

(b) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate commerce.

(2) The provisions of this order shall apply only to carloads of live poultry shipped on or after the effective date hereof.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 13, 1945.

(d) *Expiration date.* This order shall expire at 11:59 p. m., e. w. t., November 13, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that copies of this order and direction shall be served upon the State railroad regulatory bodies of each State named in paragraph (a) hereof, and upon the Association of American Railroads, Car Service Division, as agents of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-14682; Filed, Aug. 9, 1945;  
11:04 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### General Land Office.

[Misc. 1858243]

#### OREGON

#### NOTICE OF FILING OF PLATS OF RESURVEY AND SUPPLEMENTAL PLATS

AUGUST 2, 1945.

Notice is given that the plats of dependent resurvey of lands bordering Summer Lake and protraction of areas in the lake bed, and supplemental plats showing the protraction of additional areas in the lake bed, in the sections mentioned in the following townships:

#### WILLAMETTE MERIDIAN

T. 30 S., R. 16 E.,  
Secs. 25 and 36;

T. 31 S., R. 16 E.,  
Sec. 1;

T. 30 S., R. 17 E.,  
Secs. 29 to 32, inclusive;

T. 31 S., R. 17 E.,  
Secs. 4 to 9, 16 to 22, 27 to 30, and 32 to 34,  
inclusive;

T. 32 S., R. 17 E.,

Secs. 2 to 5, 8 to 11, 14 to 17, 20 to 23,  
25 to 28, inclusive, 32, 33, 35, and 36;

T. 33 S., R. 17 E.,

Secs. 1, 2, 4, and 5.

will be officially filed in the district land office at Lakeview, Oregon, effective at 10:00 a. m. on the 63d day from the date on which this notice is signed. At the time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938, 52 Stat. 609 (43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (Public Law 434—78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the district land office at Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be gov-

erned by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

All inquiries relating to these lands should be addressed to the Register, District Land Office.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 45-14666; Filed, Aug. 9, 1945;  
9:43 a. m.]

[Misc. 2058006]

#### MONTANA

#### ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

AUGUST 1, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

#### PRINCIPAL MERIDIAN

T. 3 N., R. 2 E.,  
Sec. 32, lot 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 159.05 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.



(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Billings, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 45-14667; Filed, Aug. 9, 1945;  
9:43 a. m.]

[Misc. 2058008]

IDAHO

#### ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

AUGUST 1, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

BOISE MERIDIAN

T. 4 S., R. 29 E.,  
Sec. 26, SE¼.

The area described contains 160 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law,

and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L.D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 45-14663; Filed, Aug. 9, 1945;  
9:43 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket No. 1493, et al.]

WIEN ALASKA AIRLINES, INC., ET AL.; GAMBELL-SHUNGNAK-BARROW MAIL SERVICE

#### NOTICE OF HEARING

In the matter of the applications of Wien Alaska Airlines, Inc., Alaska Airlines, Inc., and Northern Cross, Inc., for certificates and amendments of certi-

icates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and in the matter of the certification by the Postmaster General pursuant to section 401 (n) of the act with respect to the transportation of mail by aircraft between points in the Territory of Alaska.

Notice is hereby given as required by section 401 and 1001 of the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on August 31, 1945, at 10:00 a. m., in Nome, Alaska, before Examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 2, 1945.

By the Civil Aeronautics Board.

RAYMOND W. STOUGH,  
Director, Alaska Office.

[F. R. Doc. 45-14637; Filed, Aug. 9, 1945;  
11:06 a. m.]

[Docket No. 1973 et al.]

PAN AMERICAN AIRWAYS, INC., AND WIEN ALASKA AIRLINES, INC.; FAIRBANKS-NOME INTERMEDIATE POINTS PROCEEDING

#### NOTICE OF HEARING

In the matter of the applications of Pan American Airways, Inc., and Wien Alaska Airlines, Inc., for amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and for an exemption from the provisions of section 401 of the act.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 27, 1945, at 10:00 a. m., in Fairbanks, Alaska, before Examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 2, 1945.

By the Civil Aeronautics Board.

RAYMOND W. STOUGH,  
Director, Alaska Office.

[F. R. Doc. 45-14633; Filed, Aug. 9, 1945;  
11:06 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 309, 2d Amended Special Permit 24]

ICING OF POTATOES AT GREENVILLE PIERS, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it

applies to the furnishing of initial icing at Greenville Piers, N. J. (P. R. R.), on not to exceed fifty eight (58) refrigerator cars, loaded with potatoes, to be shipped August 10 to 15, inclusive, 1945, at a rate not to exceed 12 cars per day, from points on the Long Island Railroad, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, and to accord one reicing in transit only, at Columbus, Ohio, (by P. R. R.), on the said fifty eight (58) cars. (LI-PRR-to Cincinnati, Ohio.-L&N).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of August, 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-14683; Filed, Aug. 9, 1945;  
11:04 a. m.]

[2d Rev. S. O. 300, Special Permit 29]

ICING OF POTATOES FROM GREENPORT, LONG ISLAND, N. Y. AND HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing only on the following cars of potatoes shipped by F. H. Vahlsing, Inc., August 3 or 4, 1945:

NRC 14063, from Greenport, L. I., to Dan Storey, Pittsburgh, Pennsylvania (LI-B&O),  
WFE 61294 and FGE 43642, from Hightstown, N. J., to Market Dealers Service, Detroit, Michigan. (PRR-Wab.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of August, 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-14684; Filed, Aug. 9, 1945;  
11:04 a. m.]

[S. O. 348]

REROUTING OF TRAFFIC; EMPLOYEES STRIKE  
ON THE GA. & FLA. RAILROAD

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of August, A. D. 1945.

It appearing, that a strike of certain operating employees of the Georgia & Florida Railroad (W. V. Griffin and H. W. Purvis, Receivers) is interfering with operation of that carrier, and that the said carrier is unable to transport the traffic offered to it for movement over its lines; the Commission is of opinion an emergency exists requiring immediate action in that section of the country to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people: It is ordered, that:

*Operating employees strike on the Ga. & Fla. Railroad—(a) Rerouting of freight traffic.* All common carriers by railroad, subject to the Interstate Commerce Act, having cars on hand which were shipped prior to 12:01 a. m., August 8, 1945, and which are routed over, or ordinarily move over the Georgia and Florida Railroad (W. V. Griffin and H. W. Purvis, Receivers), are hereby directed to forward such freight cars via routes most available to expedite their movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars: *Provided*, That the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carriers' disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective at 12:01 p. m., August 8, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., August 12, 1945, unless otherwise modified, changed, sus-

pending or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-14680; Filed, Aug. 9, 1945;  
11:04 a. m.]

[S. O. 349]

UNLOADING OF SYRUP AT CHARLOTTE, N. C.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of August, A. D. 1945.

It appearing, that car Wab. 83663, containing syrup at Charlotte, North Carolina, on the Southern Railway Company, shipped by Coulter Malt Products Company, Harrison, New Jersey, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Syrup at Charlotte, North Carolina, be unloaded.* (a) The Southern Railway Company, its agents or employees shall unload forthwith car Wab. 83663, containing syrup on hand at Charlotte, North Carolina, consigned to Piedmont Sales Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Southern Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-14681; Filed, Aug. 9, 1945;  
11:04 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1379]

ALKOL COAL CO. ET AL.

## ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

## Correction

In Federal Register Document 45-9552, appearing at page 6604 of the issue for Tuesday, June 5, 1945, in the table for Gregory & Whites Coal Company, the price for rail shipments and railroad fuel for size group number 9 should be "340".

[MPR 188, Order 4228]

BIONDY'S

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Biondy's, 32 Gilpin Road, Upper Darby, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Wooden boudoir lamp...	1	Each \$0.85	Each \$1.00	Each \$1.50

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a

maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14605; Filed, Aug. 7, 1945;  
4:23 p. m.]

[MPR 188, Order 4223]

LEONARD T. McMANIS

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Leonard T. McManis, P. O. Box #5, Aurora, Colo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Cedar table lamp and shade.....	1	Each \$2.34	Each \$2.75	Each \$4.05

These maximum prices are for the articles described in the manufacturer's application dated March 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14676; Filed, Aug. 7, 1945;  
4:23 p. m.]

[MPR 188, Order 4230]

NATIONAL ART CRAFTS, INC.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by National Art Crafts, Inc., 356 Pearl Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
22" lacquered compensation plaster lamp base.....	20	Each \$2.75	Each \$3.25	Each \$5.85
24" glazed pottery lamp base.....	002	Each 3.82	Each 4.40	Each 8.10

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14607; Filed, Aug. 7, 1945;  
4:24 p. m.]

[MPR 188, Order No. 4231]

LACO PLATE CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Laco Plate Company, 2318 South Vermont Avenue, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand made taffeta, satin and Lumarith lamp shades in a variety of shapes, styles and sizes with pinked ruffling swag hand freyed ruffling, piping or braid trim:		Each	Each	Each
7 1/2"	100	\$1.27	\$1.50	\$2.70
8"	506	3.61	4.25	7.65
8 1/2"	101B	1.91	2.25	4.05
9"	102B	4.25	5.00	9.00
9 1/2"	103B	2.76	3.25	5.85
9 3/4"	104B	3.53	4.15	7.60
10"	301B	2.12	2.50	4.50
12" & 13"	102	5.06	5.85	10.70
13"	103	3.19	3.75	6.75
13 1/2"	104	3.82	4.50	8.10
13 3/4"	107	2.55	3.00	5.40
13 1/2"	109	3.40	4.00	7.20
13 3/4"	111	1.12	2.50	4.50
13 1/2"	113 1/2	1.78	2.10	3.80
13 3/4"	114	2.04	2.40	4.30
13 1/2"	301	2.76	3.25	5.85
13 3/4"	505	6.60	6.95	12.50
13 1/2"	513	1.78	2.10	3.80
13 3/4"	520	3.40	4.00	7.20
13 1/2"	600	2.76	3.25	5.85
15"	102	5.69	6.70	12.05
15 1/2"	103	3.61	4.25	7.65
15 3/4"	104	4.46	5.25	9.45
16"	505	10.62	12.50	22.50
19"	200	7.22	8.50	15.30
19 1/2"	201	4.04	4.75	8.55
19 3/4"	202	8.07	9.50	17.10
19 1/2"	203	5.52	6.50	11.70
19 3/4"	204	6.37	7.50	13.50
19 1/2"	209	5.31	6.25	11.25
19 3/4"	213B	2.34	2.75	4.95
19 1/2"	214	3.19	3.75	6.75
19 3/4"	214 1/2	4.25	5.00	9.00
19 1/2"	216	2.55	3.00	5.40
19 3/4"	505	14.03	16.50	29.70

These maximum prices are for the articles described in the manufacturer's application dated April 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number

and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14608; Filed, Aug. 7, 1945;  
4:24 p. m.]

[MPR 188, Order 4234]

H. M. GIBB & CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by H. M. Gibb and Company, 1302 Penobscot Building, Detroit 26, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Droship (jobbers)	Department and chain stores	Other retailers	Consumers
DeLuxe can opener....	11	Each \$0.25	Each \$0.26	Each \$0.30	Each \$0.33	Each \$0.50

Description: An all metal pillers type can opener, with stationary cutting blade which is drawn through the metal by a serrated drive wheel actuated by a crank.

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary



(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 147.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 45-14610; Filed, Aug. 7, 1945;  
4:24 p. m.]

[SR 168, Order 4230]

S. F. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the S. F. Manufacturing Company, 1918 Two Notch Road, Columbia 13, S. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal boudoir lamp, octagon shaped base, waterford cut ball break and reeded tube (14" high).....	62	Each \$1.00	Each \$1.25	Each \$2.25
Crystal boudoir lamp, with two diamond-shaped breaks and reeded tube (14 3/4" high).....	102	2.13	2.50	4.50
Pin-up lamp with steel arm and mirror back.....	87	1.15	1.35	2.45
Crystal boudoir lamp with crystal base with four waterford cut ball breaks (13 3/4" high).....	96	1.20	1.41	2.55
Crystal boudoir lamp, with one waterford cut ball break and mirror base (13 3/4" high).....	95	.94	1.10	2.00
Decorated china table lamp with glass base (23" high).....	103	2.68	3.50	6.20
Decorated china boudoir lamp (11 1/4" high).....	99 and 100	1.70	2.00	3.50

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers, they are f. o. b. factory, 25% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.50 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 45-14609; Filed, Aug. 7, 1945;  
4:24 p. m.]

[SR 168, Order 4230]

ALBERT FREED

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Albert Freed 10 West 23d Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—		
		Wholesaler (Jobber or more)	Retailer (less than 6 units)	Consumer
Aluminum hot plate, single burner, cord and plug.....	101	Each \$1.10	Each \$1.41	Each \$2.25
Aluminum hot plate, double burner, switches, cord and plug.....	102	2.50	3.00	4.00

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail ceiling price filled in:

Order No. 4230

Model No. -----

OPA Retail Ceiling Price \$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

S. F. Manufacturing Company  
1918 Two Notch Road  
Columbia 13, South Carolina  
Model No. -----  
OPA Retail Ceiling Price \$-----  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14611; Filed, Aug. 7, 1945;  
4:25 p. m.]

[MPR 188, Order 4237].

#### HOROWITZ LAMP AND METAL PRODUCTS

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Horowitz Lamp and Metal Products, 232 Canal Street, New York City, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Fluorescent bed lamp, sprayed in various colors.....	BL-2	Each \$2.93	Each \$3.50	Each \$6.30
Fluorescent bed lamp, sprayed in various colors and equipped with ballast.....	BL-1	3.83	4.50	8.10
Fluorescent desk lamp, cracked brown finish and equipped with ballast.....	DL-1	5.31	6.25	11.25

These maximum prices are for the articles described in the manufacturer's application dated March 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price \$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14612; Filed, Aug. 7, 1945;  
4:25 p. m.]

[RMPR 499; Amdt. 1 to Order 3]

#### ROLEX WATCH COMPANY, INC.

##### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499: *It is ordered,* That Order No. 3 under Revised Maximum Price Regulation 499 is amended in the following respects:

1. There are deleted from the listing in paragraph (b) the following model numbers and maximum prices:

Rolex model No.	Maximum prices to retailers	Maximum retail prices including the Federal excise tax
4270.....	\$66.64	\$144.00
4270.....	114.76	248.00
4270 (SS).....	114.88	248.25
3009/8.....	104.00	224.25

2. There are added to the listing in paragraph (b) the following model numbers and maximum prices:

Rolex model No.	Maximum prices to retailers	Maximum retail prices including the Federal excise tax
4270/1.....	\$66.64	\$144.00
4270/2.....	114.76	248.00
4270/3.....	114.88	248.25
3796/2.....	68.00	162.00
3772.....	62.00	147.25
3829/3.....	67.50	162.75
3829/1.....	94.00	204.00
4306.....	109.00	241.00
3359/3.....	72.37	160.23
3548/6.....	79.60	176.60
3004.....	91.00	202.00

This amendment shall become effective on the 8th day of August 1945.

Issued this 7th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14613; Filed, Aug. 7, 1945;  
4:25 p. m.]

[MPR 120, Order 1440]

J. A. HOLLOWAY, ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

J. A. HOLLOWAY, BANCROFT, W. VA., JOSEPH LEE MINE, PITTSBURGH SEAM, MINE INDEX No. 7423, PUTNAM COUNTY, W. VA., SUBDISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size-group Nos.												
	1	2	3	4	5	6	7	8	9	10	11, 12, 13, 14, 15, 16, 17	18	19, 20, 21, 22
Truck shipment.....	395	375	350	330	335	310	275	270	-----	-----	-----	-----	-----

JOE MORRIS, CUMBERLAND, KY., MORRIS COAL CO. MINE, HARLAN SEAM, MINE INDEX No. 7432, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: HARLAN, KY., F. O. G. 29, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	O	O	O	O	L	L	K	F	D	D	D	H	H
Price classification.....	390	355	340	340	335	335	325	320	320	325	315	310	300
Rail shipments and railroad fuel.....	395	375	350	330	335	310	275	270	-----	-----	-----	-----	-----
Truck shipment.....	395	375	350	330	335	310	275	270	-----	-----	-----	-----	-----

OSTROSKI COAL CO., CUMBERLAND, KY., OSTROSKI COAL CO. MINE, HARLAN SEAM, MINE INDEX No. 7433, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: HARLAN, KY., F. O. G. 29, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	O	O	O	O	L	L	K	F	D	D	D	H	H
Price classification.....	390	355	340	340	335	335	325	320	320	325	315	310	300
Rail shipments and railroad fuel.....	395	375	350	330	335	310	275	270	-----	-----	-----	-----	-----
Truck shipment.....	395	375	350	330	335	310	275	270	-----	-----	-----	-----	-----

J. C. RENFRO COAL CO., TACOMA, VA., RENFRO MINE, TAGGART SEAM, MINE INDEX No. 7422, WISE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: NORTON, VA., F. O. G. 235, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 2

	J	J	J	J	H	H	G	D	C	C	A	B	B
Price classification.....	390	385	375	375	360	350	320	335	320	325	320	320	315
Rail shipments and railroad fuel.....	430	410	395	380	345	320	275	270	-----	-----	-----	-----	-----
Truck shipment.....	430	410	395	380	345	320	275	270	-----	-----	-----	-----	-----

SLUSHER & BUSSEL COAL CO., CALLOWAY, KY., SLUSHER MINE, MASON SEAM, MINE INDEX No. 7431, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: TETAY, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	R	R	R	R	M	M	L	K	J	E	G	O	O
Price classification.....	360	355	340	330	320	345	340	325	320	490	325	325	325
Rail shipment.....	360	355	340	330	320	345	340	325	320	490	325	325	325
Railroad fuel.....	420	400	385	365	335	310	275	270	-----	-----	-----	-----	-----
Truck shipment.....	420	400	385	365	335	310	275	270	-----	-----	-----	-----	-----

This order shall become effective August 9, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14642; Filed, Aug. 8, 1945; 11:42 a. m.]

[MPR 120, Order 1441]

PACIFIC COAST COAL CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith, and in

accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

(a) The Fulton Mine of Pacific Coast Coal Company is hereby assigned Mine index no. 1004 and its coals are classified in Subdistrict G for all methods of shipment.

(b) Coals produced by Pacific Coast Coal Company from the No. 12 (Fulton Bed) Seam at its Fulton Mine, Mine Index No. 1004, located in King County, Washington, in Subdistrict G of District No. 23, may be purchased and sold for the indicated uses and movements in cents per net ton prices not exceeding the following:

	Size group Nos.												
	1, 2, 3, 4, 5	6, 7, 8, 9, 10	11, 12	13, 14	15, 16, 17, 18	19, 20	21	22, 23	24, 25				
All methods of transportation (except truck or wagon) and for all uses.....	685	665	575	545	535	509	520	520	520	375			
Truck or wagon shipments.....	710	690	610	570	550	525	530	530	530	410			

(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) Except as specifically provided in this order the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(f) The price classifications and mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective August 9, 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14643; Filed, Aug. 8, 1945; 11:42 a. m.]

[MPR 123, Order 167 Under Order A-2]

#### THE PACIFIC CHAIR CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to paragraph (a) (16) of Order No. A-2, under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Pacific Chair Company, 1121 Ballard Way, Seattle, Washington, may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles listed below which it manufactures, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Adjustment permitted by Reg. No. 188, 1945	Additional adjustment permitted by this order	Total adjusted maximum prices
High chair.....	210	\$2.00	\$0.10	\$0.04	\$2.14
Stool.....	121	1.05	Not applicable	.10	1.15

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date

of this order, showing prices adjusted in accordance with this order, the sellers shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form, and is in addition to any notice required by paragraphs (d) or (e) of Order No. 1052 under Maximum Price Regulation No. 188.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of August 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14641; Filed, Aug. 8, 1945;  
11:42 a. m.]

[MPR 188, Order 45 Under Order 1052]

GROSFELD HOUSE, INC.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (g) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Grosfeld House, Inc., 320 East 47th Street, New York 17, N. Y., may add an additional adjustment charge to its maximum prices for sales and deliveries to all classes of purchasers of the articles of wood household furniture which it manufactures and for which it has established maximum prices prior to the effective date of this order, equal to 4.7% of its established maximum prices as adjusted by paragraph (d) of Order No. 1052 under Maximum Price Regulation No. 188.

This additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis

of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form, and is in addition to any notice required by paragraph (d) or (e) of Order No. 1052 under Maximum Price Regulation No. 188.

(d) *Profit and loss statement.* After the effective date of this order, Grosfeld House, Inc., shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within 30 days after the end of each full quarter year.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of August 1945.

Issued this 4th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14639; Filed, Aug. 8, 1945;  
11:44 a. m.]

[MPR 188, Rev. Order 3934]

PREMCO MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered: Order No. 3934 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Premco Manufacturing Company, 655 South Wells Street, Chicago, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Pottery commode lamp with decal and coin gold decoration and rayon shade.	#1500 group—	Each \$3.95	Each \$4.65	Each \$5.37

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 20 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of SR 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 9th day of August 1945.

Issued this 8th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14640; Filed, Aug. 8, 1945;  
11:41 a. m.]



[MPR 188, Rev. Order 507]

## HERZOG IRON WORKS, INC.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Herzog Iron Works, Incorporated, Cypress Street & N. P. Tracks, St. Paul 6, Minnesota.

(1) For all sales and deliveries to the following classes of purchasers by the seller indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (jobbers)	Retailers (3 units or more)	Retailers (less than 3 units)	Consumers
Electric space heater.....	LK 1000	\$8.43	\$9.25	\$10.99	\$11.73	\$17.50

These maximum prices are for the articles described in the manufacturers application dated June 28, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statements with the correct order number filled in:

Do not detach

Herzog Iron Works, Inc.  
Cypress Street & N. P. Tracks  
St. Paul 16, Minnesota  
Model No. LK 1000  
OPA Retail Ceiling Price—\$17.50  
Federal Excise Tax Included

OR

Rev. Order No. 507 under M. P. R. 188  
Model No. LK 1000  
OPA Retail Ceiling Price—\$17.50  
Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 4th day of August 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14604; Filed, Aug. 8, 1945;  
4:26 p. m.]

[MPR 120, Order 1387]

A. &amp; A. COAL CO. ET AL

## ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

## Correction

In the table for Mystic Mines, appearing in Federal Register Document 45-9899, page 6899 of the issue for Saturday, June 9, 1945, the price for truck shipment for size group number 6 should be "265".

[MPR 188, Order A-2, Correction to Amdt. 30]

## WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

## ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 30 to Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188 is corrected by changing all references to subparagraph (a) (18) (ii) to read (a) (18) (iii).

This correction shall become effective as of July 30, 1945.

Issued this 9th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14717; Filed, Aug. 9, 1945;  
11:24 a. m.]

## Regional and District Office Orders.

[Region IX Order G-1 Under 18 (c),  
Amdt. 1]

## FISH LIVERS AND VISCERA IN ALASKA

An opinion accompanying this amendment has been issued simultaneously herewith.

Region IX Order No. G-1 under § 1499.18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. In paragraph (h), footnote 1 is revoked.
2. Paragraph (i) is renumbered paragraph (j).
3. A new paragraph (i) is added to read as follows:

(i) *Alternative pricing method.* As an alternative to the maximum prices set forth in paragraph (h) above, producers (fishermen) may sell to processors

and extractors fish livers and viscera according to their Vitamin A potency. Producers may charge and processors and extractors may pay a maximum price of 11¢ per million U. S. P. units of Vitamin A: *Provided*, (a) The fish livers and viscera are sampled in accordance with the prescriptions and recommendations for sampling given by the Fish & Wild Life Service, and (b) the vitamin potency of the livers and viscera are tested and determined by a professional chemist by means of generally approved devices and equipment used by extractors, and (c) the results are certified and recorded for inspection by the Office of Price Administration.

This amendment to Region IX Order No. G-1 shall become effective August 11, 1945.

Issued this 7th day of August 1945.

JAMES P. DAVIS,  
Regional Administrator.

[F. R. Doc. 45-14646; Filed, Aug. 8, 1945;  
11:43 a. m.]

[Region IV Rev. Order G-26 Under RMPR  
122, Amdt. 1]

## SOLID FUELS IN ALABAMA

## Correction

In the table in paragraph (e) (1) of Federal Register Document 45-10282, appearing at page 7228 of the issue for Friday, June 15, 1945, the nineteenth price in the column headed "Per ½ ton, 1,000 lbs." should be "4.63".

[Region IX Order G-1 Under MPR 579]

## FRESH FISH IN ALASKA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region IX of the Office of Price Administration by sections 4.2 (c) and 2.2 (c) of Maximum Price Regulation 579, by the General Maximum Price Regulation and Revised Maximum Price Regulation 165 pursuant to General Order 32; it is ordered:

SECTION 1. *What this order does.* This order establishes maximum prices at which producers may sell fresh fish at Alaskan fishing grounds or receiving stations; establishes specific maximum prices for "scow" and "packing" services; designates by name the ports of entry in Alaska and fixes maximum prices for sales of fresh fish when landed at such ports.

SEC. 2. *Definitions.* As used in this order, the term:

(a) "Scow service" means a transaction in which the seller receives fresh fish at his scow or other vessel on the fishing grounds or at a receiving station from a producer, and includes, but is not limited to, the furnishing of such services as icing, boxing, splitting, drawing and dressing fresh fish, keeping records and making payments for and on behalf of

the buyer of the fish. It also includes any other services customarily rendered by a "scow operator" prior to April 1, 1942.

(b) "Scow operator" means any person (other than a producer or fish buyer) who supplies scow services.

(c) "Packing service" means a transaction in which the seller transports fish by tender or other vessel from the fishing grounds or receiving station to a port of entry, and includes, but is not limited to, the furnishing of such services as handling and loading the fish aboard the vessel, and handling, unloading and landing the fish at a port of entry. It also includes the transportation of ice and containers between the grounds or receiving station and port of entry, and such other services customarily performed by a "packer" prior to April 1, 1942.

(d) "Packer" means any person (other than a producer or fish buyer) who supplies packing services.

**Sec. 3. Maximum prices for sales by producers at fishing grounds or receiving stations.** (a) The maximum prices for producers of fresh fish sold or delivered at fishing grounds or receiving stations in the First Judicial Division shall be as follows:

(i) In the "Central Zone"—the Table II A Column A prices as fixed for Wrangell;

(ii) In the "Northern Zone"—the Table II A Column A prices as fixed for Juneau;

(iii) In the "Southern Zone"—the Table II A Column A prices as fixed for Ketchikan;

Less the deduction for the applicable species of fish as set forth below:

(1) For red meated King salmon, 14# or over, any style of dressing—deduct three cents per pound.

(2) For true cod, flounder, ling cod, red cod, sablefish and sole (all species)—deduct one and one-half cents per pound.

(3) For all other fish named in Table II A regardless of size and style of dressing—deduct two cents per pound.

(b) As used in paragraph (a) above:

(i) "Central Zone" means that part of the First Judicial Division bounded by a line beginning at a point on the international boundary approximately three miles south of latitude 57½° north, thence on a course bearing westerly in a straight line through the southernmost tip of Entrance Island (in Hobart Bay) and the southernmost tip of Traders Island (also known as Catherine Island) to longitude, 135° west; thence southerly following longitude 135° to a point approximately twelve miles south of latitude 56° north; thence on a course bearing easterly in a straight line through the southernmost tip of Coronation Island and the southernmost tip of Onslow Island to the east shore of Ernest Sound; thence on a course bearing northeasterly in a straight line through the southerly shore of Tyee Lake and beyond to Mount Lewis Cass.

(ii) "Northern Zone" means that part of the First Judicial Division lying north and due west of the Central Zone.

(iii) "Southern Zone" means that part of the First Judicial Division lying out-side of the Central and Northern Zones.

**Sec. 4. Designated Alaskan ports and maximum prices for fish landed at such ports.** (a) The term "port" or "port of entry" as used in this order includes, and is limited to, the following named places: Anchorage, Cordova, Homer, Juneau, Kenai, Ketchikan, Kodiak, La Touche, Pelican City, Petersburg, Port Alexander, Port Williams, Seward, Seldovia, Sitka, Tyee, Wrangell, and Valdez.

(b) The Table II A Column A prices as fixed by the applicable footnotes in Maximum Price Regulation 579 for fish landed at—

(i) Wrangell shall apply to fish landed at Tyee.

(ii) Juneau, less one-quarter of a cent per pound, shall apply to fish landed at Cordova, Valdez, La Touche or Seward.

(iii) Juneau, less two cents per pound for large, red kings and one cent for all other sizes and species of fish shall apply to fish landed at Port Alexander.

(iv) Port Williams shall apply to fish landed at Kodiak, Seldovia or Homer.

(v) Port Williams, plus six cents per pound, shall apply to fish landed at Anchorage.

(c) The maximum prices for fresh fish landed at any place in Alaska outside the First Judicial Division, other than at a port named in paragraph (a) above, shall be the maximum prices established by Maximum Price Regulation 579 and paragraph (b) above.

**Sec. 5. Maximum prices for scow services.** (a) (1) The maximum prices for scow services shall be determined on a poundage basis and shall be as follows:

(i) For red meated King salmon, 14# or over, drawn and dressed; 16# or over, round—two cents per pound.

(ii) For true cod, flounder, ling cod, red cod (rock cod), sable fish (black cod), and sole (all species), regardless of size and style of dressing—one-half cent per pound.

(iii) For all other fish named in Table II A, regardless of size and style of dressing—one cent per pound.

(2) Poundage shall be calculated on the basis of the weight of the fish as they are received by the scow operator at the fishing grounds or receiving station.

(3) Notwithstanding the foregoing provisions, a scow operator may receive and a buyer may pay a minimum of \$300.00 for scow services for each scow (including the labor of one or more employees of the scow operator) which is in actual use for not less than thirty days.

(b) **Maximum prices for packing services.** The maximum prices for packing services for any fish named in Table II A shall be one cent per pound when the packer lands the fish at a port in the same zone in which he received the fish, and one and one-quarter cents per pound when he lands the fish at a port in a zone other than that in which he received the fish. Poundage shall be calculated on the basis of the weight of the fish as they are received by the packer.

(c) Any person may, of course, render both packing and scow services as part of the same transaction and make a

single charge therefor, but such charge may not exceed the sum of the maximum prices established for each service.

(d) **Records.** Every scow operator and every packer subject to this order shall make and keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, accurate records of each sale of his service, showing the date thereof, the location of the grounds or receiving station where the fish were received, the name and address of the producer and the name of his boat, the name and address of the buyer of the fish, the name and address of the buyer of his service, the total weight of the fish, the price contracted for or received for the service and, where relevant in the determination of the price, the species, size and style of dressing of the fish.

(e) **Posting maximum producers' prices.** Every person operating a packing vessel, scow, or receiving station who, in connection with the fish received by him pays the consideration therefor to the producer on behalf of the fish buyer, shall post in a conspicuous place on every scow and vessel and at every receiving station operated by him, in a manner plainly visible to, and understandable by, producers and buyers, a notice which shall list the name, size and style of dressing of the fish, and the producers' ceiling prices therefor as fixed by section 2 of this order.

(f) **Evasion.** (1) Any method or device whereby a scow operator or packer obtains a greater consideration for his services than the maximum prices established by this order, or whereby he gives less than the consideration due the buyer for the maximum price, is an evasion of this order and therefore prohibited, and any offer or agreement which accomplishes or attempts to accomplish such results, is equally prohibited. Without limiting the general prohibitions of this section, the following practices are specifically prohibited.

(2) Requiring or receiving payment of wages, bonuses, premiums, equipment, supplies, maintenance, goods, services or any other consideration not specifically provided for in this order, except that a scow operator or a packer may receive ice from the buyer of the fish without charge.

(3) Discontinuing or changing a service normally and customarily part of scow and packing services.

(4) Requiring the purchase or sale of any commodity or service as a condition of the sale of scow or packing services.

(5) A producer who hires or engages a packer or scow operator to land his fish at a port of entry or to perform any other packing or scow service for him in connection with his fish, is prohibited from selling or delivering such fish, and the buyer is prohibited from buying or receiving such fish, at prices higher than the maximum prices fixed by section 3 of this order.

(g) **Applicability.** This section 5 applies only to the First Judicial Division.

**Sec. 6. Enforcement.** Persons violating any provisions of this order are subject to the criminal penalties, civil en-

forcement actions, suits for treble damages and proceedings for suspension or revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

Persons who have evidence of any violation of this order, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest War Price and Rationing Board or Field Office of Price Administration or its principal office in Juneau.

**SEC. 7. Relation to other regulations.** This order supersedes Region IX Order No. 4 under Maximum Price Regulation 418. Insofar as this order establishes maximum prices for scow and packing services, it supersedes the pricing and current record-keeping provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation 165. Except as provided in this order, all provisions of Maximum Price Regulation 579, Revised Maximum Price Regulation 165, and the General Maximum Price Regulation shall remain in effect.

**SEC. 8. Amendments; revocation.** This order may be amended or revoked by the Regional Administrator at any time.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 15, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of August, 1945.

JAMES P. DAVIS,  
Regional Administrator.

[F. R. Doc. 45-14665; Filed, Aug. 8, 1945;  
4:25 p. m.]

[Region III Order G-59 Under RMPR 122]

**SPECIFIED SOLID FUELS IN BATTLE CREEK,  
MICH., AREA**

#### Correction

In Federal Register Document 45-10882, appearing at page 7598 of the issue for Saturday, June 23, 1945, the seventh price in column II of the table in paragraph (c) (1) should be "9.80".

#### LIST OF COMMUNITY-CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 7, 1945.

##### REGION II

Buffalo Order 3-F, Amendment 18, covering fresh fruits and vegetables in certain areas in New York. Filed 9:52 a. m.

Buffalo Order 4-F, Amendment 18, covering fresh fruits and vegetables in certain areas in New York. Filed 9:53 a. m.

Binghamton Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain areas in New York. Filed 9:54 a. m.

District of Columbia Order 5-F, Amendment 18, covering fresh fruits and vegetables in certain areas in region II. Filed 9:53 a. m.

New York Order 5-C, covering poultry in certain areas in region II. Filed 9:48 a. m.

New York Order 8-F, Amendment 20, covering fresh fruits and vegetables in the five boroughs of New York. Filed 9:53 a. m.

New York Order 9-F, Amendment 21, covering fresh fruits and vegetables in the five boroughs of New York City. Filed 9:47 a. m.

New York Order 10-F, Amendment 20, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 9:47 a. m.

New York Order 10-F, Amendment 21, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 9:47 a. m.

New York Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain counties in New York. Filed 9:48 a. m.

New York Order 12-F, Amendment 14, covering fresh fruits and vegetables in certain counties in New York. Filed 9:48 a. m.

Trenton Order 12-F, Amendment 17, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:48 a. m.

Wilmington Order 4-F, Amendment 43, covering fresh fruits and vegetables in the entire state of Delaware. Filed 9:49 a. m.

Wilmington Order 5-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Delaware. Filed 9:49 a. m.

##### REGION III

Columbus Order 15, Amendment 14, covering eggs in certain areas in Ohio. Filed 9:50 a. m.

Columbus Order 10, Amendment 14, covering eggs in certain counties in Ohio. Filed 9:50 a. m.

Indianapolis Order 14-F, Amendment 20, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe Counties. Filed 9:51 a. m.

Indianapolis Order 15-F, Amendment 20, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 9:51 a. m.

Indianapolis Order 16-F, Amendment 20, covering fresh fruits and vegetables in St. Joseph County, Indiana. Filed 9:52 a. m.

Indianapolis Order 17-F, Amendment 20, covering fresh fruits and vegetables in Vanderburgh, Indiana. Filed 9:52 a. m.

##### REGION IV

Miami Order 1-O, covering eggs in certain counties in Florida. Filed 9:53 a. m.

Miami Order 2-F, Amendment 22, covering fresh fruits and vegetables in Tampa, Florida. Filed 9:56 a. m.

Miami Order 2-O, covering eggs in certain counties in Florida. Filed 9:53 a. m.

Miami Order 3-O, covering eggs in certain counties in Florida. Filed 9:54 a. m.

Miami Order 4-O, covering eggs in certain counties in Florida. Filed 9:54 a. m.

Miami Order 5-O, covering eggs in certain counties in Florida. Filed 9:54 a. m.

Miami Order 6-O, covering eggs in certain counties in Florida. Filed 9:53 a. m.

Miami Order 7-O, covering eggs in certain counties in Florida. Filed 9:53 a. m.

##### REGION V

Oklahoma City Order 2-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:54 a. m.

Oklahoma City Order 3-F, Amendment 65, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:55 a. m.

Oklahoma City Order 3-F, Amendment 66, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:55 a. m.

Oklahoma City Order 3-F, Amendment 67, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:55 a. m.

Oklahoma City Order 3-F, Amendment 68, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:55 a. m.

Oklahoma City Order 4-W, Amendment 4, covering dry groceries in certain areas in Oklahoma. Filed 9:58 a. m.

Oklahoma City Order G-15, Amendment 6, covering dry groceries in certain areas in Oklahoma. Filed 9:55 a. m.

Tulsa Order 1-C, Amendment 7, covering poultry in certain counties in Oklahoma. Filed 10:04 a. m.

Tulsa Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:53 a. m.

##### REGION VI

La Crosse Order 1-O, covering eggs in certain areas in Iowa and Wisconsin and Minnesota. Filed 10:01 a. m.

La Crosse Order 2-O, covering eggs in certain areas in Iowa and Wisconsin. Filed 10:00 a. m.

La Crosse Order 3-F, Amendment 75, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 10:01 a. m.

La Crosse Order 5-F, Amendment 74, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 10:01 a. m.

Milwaukee Order 8-F, Amendment 18, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:00 a. m.

Milwaukee Order 9-F, Amendment 18, covering fresh fruits and vegetables in the Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 10:00 a. m.

Omaha Order 20, Amendment 10, covering dry groceries in certain areas in Iowa and Nebraska. Filed 9:53 a. m.

Omaha Order 21, Amendment 10, covering dry groceries in Lancaster County, Nebraska. Filed 9:53 a. m.

Omaha Order 23, Amendment 8, covering dry groceries in certain areas in Iowa and Nebraska. Filed 9:53 a. m.

Peoria Order 7-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:04 a. m.

Peoria Order 8-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:04 a. m.

Peoria Order 9-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:04 a. m.

Peoria Order 10-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:04 a. m.

Twin Cities Revised Order 1-F, Amendment 25, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:05 a. m.

##### REGION VII

Los Angeles Order 3-F, Amendment 4, covering fresh fruits and vegetables in the Los Angeles Area. Filed 10:05 a. m.

Los Angeles Order 4-F, Amendment 4, covering fresh fruits and vegetables in the Long Beach-San Bernardino Area. Filed 10:05 a. m.

Los Angeles Order 5-F, Amendment 4, covering fresh fruits and vegetables in the Santa Barbara-Ventura Area. Filed 10:05 a. m.

Los Angeles Order 5-F, Amendment 5, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:06 a. m.

Los Angeles Order 6-F, Amendment 4, covering fresh fruits and vegetables in the San Luis Obispo Area. Filed 10:06 a. m.

Los Angeles Order 6-F, Amendment 5, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:06 a. m.

Phoenix Adopting Order 1-F under Basic Order 1-B, Amendment 27, covering fresh fruits and vegetables in Tucson Area. Filed 10:06 a. m.

Phoenix Adopting Order 1-F, Amendment 23, covering fresh fruits and vegetables in the Tucson Area. Filed 10:06 a. m.

Phoenix Adopting Order 1-F, under Basic Order 1-B, Amendment 23, covering fresh fruits and vegetables in the Tucson Area. Filed 9:57 a. m.

Phoenix District Order 18-O, Amendment 1, covering eggs. Filed 9:57 a. m.

Phoenix District Order 19-O, Amendment 1, covering eggs. Filed 9:57 a. m.

Portland Order 5-F, Amendment 31, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:07 a. m.

Portland Order 6-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:07 a. m.

Portland Order 7-F, Amendment 31, covering fresh fruits and vegetables in certain areas in Klamath Falls, Oregon. Filed 10:07 a. m.

Portland Order 10-F, Amendment 30, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 10:02 a. m.

Portland Order 12-F, Amendment 28, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 10:02 a. m.

Portland Order 12-C, covering poultry in certain counties in Washington and Oregon. Filed 10:03 a. m.

Portland Order 13-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:02 a. m.

Portland Order 14-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:02 a. m.

Portland Order 15-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:02 a. m.

Portland Order 16-F, Amendment 21, covering fresh fruits and vegetables in Bend, Oregon. Filed 10:02 a. m.

Portland Order 17-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:02 a. m.

Portland Order 19-F, Amendment 19, covering fresh fruits and vegetables in Dalles, Oregon. Filed 10:03 a. m.

Portland Order 20-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:02 a. m.

Portland Order 21-F, Amendment 18, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 10:03 a. m.

Portland Order 22-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:03 a. m.

Portland Order 27-F, Amendment 16, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 10:03 a. m.

Portland Order 28-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:03 a. m.

Portland Order 29-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:03 a. m.

Portland Order 30-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:03 a. m.

Portland Order 31-F, Amendment 5, covering fresh fruits and vegetables in the Hood River-Clatskanie-McMinnville, Oregon, Area. Filed 10:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc 45-14707; Filed, Aug. 9, 1945;  
11:21 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1108]

AMERICAN GAS AND ELECTRIC CO. AND  
WHEELING ELECTRIC CO.

### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 6th day of August, A. D., 1945.

American Gas and Electric Company ("American Gas"), a registered holding company, and its subsidiary, Wheeling Electric Company ("Wheeling"), having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder relating to a proposal by Wheeling to issue and sell to American Gas, the owner of all of Wheeling's presently outstanding common stock, and to a proposal by American Gas to acquire, 7,154 shares of Wheeling's common stock, no par value, for \$1,000,000 cash, said shares constituting all of the presently authorized but unissued shares of common stock of Wheeling, which proposes to use the proceeds of such sale for the construction of additional utility facilities; and

Said joint application and declaration having been filed on the 6th day of July, 1945, and a notice of said filing having been issued on the 16th day of July 1945, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed issue by Wheeling to American Gas of the common stock hereinabove mentioned and the proposed acquisition thereof by American Gas are not in contravention of the act or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of sections 7 and 10 of the act and of the rules thereunder in so far as they are applicable, and that it is appropriate in the public interest and in the interest of investors and consumers that said application be granted and said declaration be permitted to become effective;

It is hereby ordered, pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint application be, and the same hereby is, granted and that the aforesaid joint declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-14652; Filed, Aug. 8, 1945;  
2:32 p. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP.  
(DELAWARE)

### ORDER PERMITTING WITHDRAWAL OF SUPPLEMENTAL APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1945.

A declaration or application (or both), entitled "Supplemental Application No. 3", having been filed with this Commission on August 24, 1943 under File No. 70-726-1 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, which proposed, in furtherance of the "Plan to Change the Capitalization of The Commonwealth & Southern Corporation", filed with the Commission on April 20, 1943 (Holding Company Act Release No. 4294), the acquisition by Commonwealth for cancellation of up to 32,627 shares of its presently outstanding preferred stock and the expenditure of up to \$2,500,000 therefor; and

Public hearings having been held on said proposal after appropriate notice but no findings and opinion having been issued with respect thereto;

An amended plan to change its capitalization having been filed on February 26, 1944, by Commonwealth as an amendment to and in substitution for the plan filed April 20, 1943; and said amended plan, as further amended on June 14, 1945, having been approved by the Commission by order dated June 30, 1945 (Holding Company Act Release No. 5895);

Said amended plan being based on the assumption that there will be outstanding 1,482,000 shares of the preferred stock of Commonwealth and that none of said shares of such stock will be acquired and retired as proposed by said Supplemental Application No. 3; and

The Commonwealth & Southern Corporation having requested that said Supplemental Application No. 3 be deemed withdrawn and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers to grant such request;

It is hereby ordered, That the request of The Commonwealth & Southern Corporation for withdrawal of Supplemental Application No. 3 be, and the same hereby is, granted and that said Supplemental Application No. 3 be, and the same hereby is, deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-14653; Filed, Aug. 8, 1945;  
2:32 p. m.]

[File No. 1-921]

### MARSH MINES CONSOLIDATED

#### ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1945.

The Standard Stock Exchange of Spokane, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 25 $\frac{1}{2}$  Par Common Assessable Stock of Marsh Mines Consolidated;

The Commission deeming it necessary for the protection of investors that a



hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered,* That the matter be set down for hearing at 10:00 a. m. on Wednesday, August 29, 1945, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine; and that general notice thereof be given; and

*It is further ordered,* That Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14690; Filed, Aug. 9, 1945;  
11:08 a. m.]

ASSOCIATED GAS AND ELECTRIC CO., ET AL.  
ORDER RELEASING JURISDICTION  
[File No. 46-150]

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of August 1945.

In the matter of Associated Gas and Electric Company, Associated Gas and Electric Corporation, NY PA NJ Utilities Company, Associated Power Corporation, General Utility Investors Corporation, Trustees Under Pension Trust Agreement dated December 14, 1937 (as amended), File No. 46-150.

Associated Gas and Electric Company, a registered holding company; Associated Gas and Electric Corporation, a registered holding company and a subsidiary of Associated Gas and Electric Company; Trustees under Pension Trust Agreement dated December 14, 1937, a subsidiary company of Associated Gas and Electric Company; NY PA NJ Utilities Company, a registered holding company and a subsidiary of Associated Gas and Electric Corporation; and Associated Power Corporation and General Utility Investors Corporation, subsidiaries of NY PA NJ Utilities Company, having heretofore filed joint applications-declarations, pursuant to sections 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, regarding, among other things, a program for raising funds to enable Associated Gas and Electric Company to make initial payment to the Treasury Department of the United States on account of a certain settlement of claims for income taxes for the years 1927 to 1933, inclusive, against Associated Gas and Electric Company and Associated Gas and Electric Corporation and their various affiliated and associated companies;

No. 159—5

The Commission having on June 29, 1939, granted such applications and permitted such declarations to become effective (Holding Company Act Release Nos. 1615 and 1671) subject, among other terms and conditions, to the following:

(7) The disposition of the accounting entries and the adjustment thereof, and the final settlement of intercorporate accounts between the companies herein mentioned, all arising from the tax settlement, intercorporate payments in connection therewith, and prior intercorporate credits or payments on account of the estimated tax liabilities of individual companies, shall be subject to the order of the Commission to be entered in this cause pursuant to jurisdiction retained herein after notice to the above mentioned companies and opportunity for hearing.

Applicants-declarants having made application for the release of the jurisdiction reserved as above quoted; and

It appearing that General Utility Investors Corporation and Associated Power Corporation were merged into NY PA NJ Utilities Company on April 29, 1941, and September 17, 1941, respectively; and

The Commission having this day permitted to become effective declarations (Holding Company Act Release No. 5975) jointly filed by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and by NY PA NJ Utilities Company, wherein it is proposed that all of the outstanding preferred stock of NY PA NJ Utilities Company, which is held by the public, be retired; that, subject to the entry of an appropriate order by the United States District Court for the Southern District of New York, having jurisdiction of the reorganization proceedings of Associated Gas and Electric Company and Associated Gas and Electric Corporation, and subject further to an acceptable ruling by, or closing agreement with, the Commissioner of Internal Revenue, said Trustees will donate to NY PA NJ Utilities Company, for cancellation and as a contribution to its capital, all of the debt obligations of NY PA NJ Utilities Company held by said Trustees; and that, in connection therewith, NY PA NJ Utilities Company will restate its accounts; and

The Commission having considered said application for release of jurisdiction, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application subject, however, to the consummation of the aforesaid program as proposed in the joint declarations permitted this day to become effective:

*It is ordered,* That the jurisdiction heretofore reserved, as above quoted, be, and hereby is, released, subject to the consummation of the aforesaid program relating to the donation by said trustees to NY PA NJ Utilities Company of the latter's debt obligations held by said trustees, the restatement of the accounts of NY PA NJ Utilities Company, and the retirement of its preferred stock.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14694; Filed, Aug. 9, 1945;  
11:09 a. m.]

[File Nos. 53-76, 54-123]

EASTERN GAS AND FUEL ASSOCIATES  
SUPPLEMENTAL ORDER APPROVING AFFILIATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1945.

Eastern Gas and Fuel Associates ("Eastern"), a registered holding company, having filed an application with regard to the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$40,000,000 principal amount of First Mortgage and Collateral Trust Bonds, ...% Series, due 1965, and the application of the net proceeds from the sale of said bonds, together with treasury cash and the proceeds from the issue and sale, privately to banks, of \$15,000,000 principal amount of 2½% installment notes, due 1946-1955, to the redemption of \$55,497,000 principal amount of First Mortgage and Collateral Trust Bonds, Series A, 4%, due 1956, at 101½% of the principal amount thereof;

The Commission having by order dated July 27, 1945 approved the said application pursuant to the applicable provisions of the act, including section 7 thereof, subject to the condition, among others, that the proposed issue and sale of bonds should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed;

Eastern having filed an amendment to the application setting forth the action taken to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, two bids were received as follows:

Underwriting group	Coupon rate	Price to company <sup>1</sup> (percent of principal amount)	Annual cost to company
Mellon Securities Corp.	Percent 3½	100.639	3.43
Hafley, Stuart & Co., Inc.	3½	100.153	3.74

<sup>1</sup> Plus accrued interest from July 1, 1945.

The said amendment having further stated that Eastern has accepted the bid of the group headed by Mellon Securities Corporation and that the bonds will be offered for sale to the public at a price of 102.17% of the principal amount thereof plus accrued interest, resulting in an underwriters' spread of 1.61% of the principal amount of the bonds; and

The Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for the bonds, the interest rate on the bonds or the underwriters' spread and its allocation:

*It is ordered,* That, subject to the terms and conditions contained in Rule

U-24, said application, as amended, be and the same is hereby approved.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14691; Filed, Aug. 9, 1945;  
11:08 a. m.]

[File Nos. 70-1008, 59-11, 59-17, 54-25]

CITIES SERVICE POWER & LIGHT CO. ET AL.

#### ORDER AMENDING PRIOR ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D., 1945.

In the matter of Cities Service Power & Light Company, St. Joseph Light & Power Company, File No. 70-1008, The United Light and Railways Company, Continental Gas & Electric Corporation, File Nos. 59-11, 59-17, 54-25, Application No. 24.

The Commission having by order dated July 18, 1945, granted applications and permitted declarations to become effective with respect to various transactions including, among others, (1) the purchase by Continental Gas & Electric Corporation from Cities Service Power & Light Company of 20,694 shares of common stock of St. Joseph Light & Power Company for a base price of \$2,200,000; (2) the purchase by Continental Gas & Electric Corporation from Cities Service Power & Light Company for cash at par of such additional shares of common stock (not exceeding 1056) of St. Joseph Light & Power Company as will be necessary to provide funds to effect the redemption and retirement of the publicly held preferred stock of St. Joseph Light & Power Company not exchanged for shares of new preferred stock; (3) the purchase by Continental Gas & Electric Corporation from St. Joseph Light & Power Company of 1,500 shares of common stock of St. Joseph Light & Power Company for \$150,000 and (4) the payment of \$1,000,000 by Continental Gas & Electric Corporation to St. Joseph Light & Power Company as a contribution to its capital surplus;

Continental Gas & Electric Corporation having requested the Commission to enter an order authorizing Continental Gas & Electric Corporation to use the proceeds received by it from the sale of its interest in Iowa-Nebraska Light & Power Company, jurisdiction over which was previously reserved by the Commission (Holding Company Act Release No. 5619), to make the foregoing expenditures and investment, and including the specifications and itemizations necessary to satisfy the requirements of section 371 of the Internal Revenue Code;

The Commission finding that the foregoing expenditures and investment are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

It appearing to the Commission that the request of Continental Gas & Electric

Corporation is, and was, one proper to be granted, but that inadvertently the requested specification and itemization was omitted from the said order of the Commission entered herein on July 18, 1945, and the Commission finding that said order should be corrected in that respect, as of the date thereof;

It is ordered, That the order of this Commission entered herein on July 18, 1945 be, and the same is hereby, amended, as of the date thereof, by the insertion therein after the last paragraph of said order and before the words "By the Commission" of the following:

It is further ordered, and the Commission finds, that the expenditures by Continental Gas & Electric Corporation for common stock of St. Joseph Light & Power Company and the investment by Continental Gas & Electric Corporation of \$1,000,000 as a contribution to the capital of St. Joseph Light & Power Company, which expenditures and investment are specified and itemized in transactions 3, 5 and 7 listed in the first paragraph of this order, are necessary or appropriate to the integration of the holding company system of which Continental Gas & Electric Corporation is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of Continental Gas & Electric Corporation in view of sections 371 and 1808 of the Internal Revenue Code.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14689; Filed, Aug. 9, 1945;  
11:08 a. m.]

[File No. 70-1063]

NY PA NJ UTILITIES CO., ET AL.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of August, 1945.

In the matter of NY PA NJ Utilities Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, File No. 70-1063.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company, and NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company and a subsidiary of Agecorp, having filed declarations, as amended, pursuant to sections 6 (a) (2), 7, 12 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-42 and U-45 promulgated thereunder, regarding the following proposed transactions:

(1) Subject to the obtaining by Agecorp of an appropriate order from the District Court of the United States for the Southern District of New York ("District Court") and subject further to the obtaining by NY PA NJ and Stanley Clarke, as Trustee of Associated Gas and Electric Company, of an acceptable ruling by, or closing agreement with, the

Commissioner of Internal Revenue, Agecorp will donate to NY PA NJ, for cancellation and as a contribution to its capital, the following obligations of NY PA NJ owing to Agecorp, together with all interest accrued and unpaid, or to accrue, thereon:

Obligations	Amount	
Convertible obligation, due Mar. 1, 1903:		
Interest bearing, 1% to the extent of "available net income".....	\$196,725,000.00	
Non-interest bearing.....	6,275,000.00	\$202,000,000.00
Advances:		
Open account, 2% interest bearing.....	24,478,251.18	
Open account, non-interest bearing.....	930,234.04	25,434,485.22
Total.....		227,434,485.22

(2) In connection with, and continuing upon, the above donation by Agecorp of the convertible obligation and open account advances, NY PA NJ will, among other things, restate the carrying amounts for certain of its investments, and create a reserve, in the absence of a revaluation of assets, against the carrying amounts for investments in the common stocks of majority-owned subsidiaries, approximately equivalent to the excess of such carrying amounts over the related adjusted combined net assets of such subsidiaries as at the effective date of the restatement of its investments.

(3) Subject to obtaining the consent in writing of Agecorp pursuant to an appropriate order of the District Court, NY PA NJ will retire all of its outstanding 5,405.6 shares of no par value \$3 non-cumulative preferred stock, at the redemption price of \$26 per share, and, in addition, will pay to the holders of such stock, in full satisfaction of any and all claims to dividends on such stock since January 1, 1941, an amount equivalent to dividends upon such stock at the rate of \$3 per annum per share from January 1, 1941, to the date of retirement.

A public hearing having been held after appropriate notice in which the security holders of declarants and other interested persons were accorded opportunity to be heard; and requests for findings, briefs and oral argument having been waived; and

The Commission having considered the record and having entered its Findings and Opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declarations, as amended, to become effective:

It is hereby ordered, Pursuant to the applicable provisions of said act, including sections 6, 7, and 12 thereof, and the rules and regulations promulgated thereunder, that the aforesaid declarations, as amended, with respect to the contribution by Agecorp of the debt obligations of NY PA NJ and the restatement of the accounts of NY PA NJ be, and hereby are, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act,

to the further condition that no entries, in connection with the sale or disposition of any of NY PA NJ's investments, shall be made to the reserve account to be created except as the Commission may approve or direct, and subject further to the reservation of jurisdiction over the proposed accounting entries to be made upon the books of Agecorp.

*It is further ordered*, Pursuant to the applicable provisions of said act, including section 12 thereof, and the rules and regulations promulgated thereunder, that the aforesaid declaration, as amended, with respect to the retirement by NY PA NJ of its no par value \$3 non-cumulative preferred stock be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14692; Filed, August 9, 1945;  
11:08 a. m.]

[File No. 70-1074]

#### KINGS COUNTY LIGHTING CO.

#### SUPPLEMENTAL ORDER AND ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of August, 1945.

Kings County Lighting Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the act, of the issue and sale, in accordance with the competitive bidding requirements of Rule U-50, of \$4,200,000 principal amount of First Mortgage Bonds to mature August 1, 1975, the proceeds from such sale to be applied to the redemption of the company's short-term promissory note in the principal amount of \$4,200,000;

The Commission having by order dated July 26, 1945 (Holding Company Act Release No. 5954), granted such application, as amended, pursuant to section 6 (b) of the act, subject to the conditions that (1) applicant obtain from the Public Service Commission of the State of New York a final order expressly authorizing the issue and sale of said First Mortgage Bonds; (2) applicant report to the Commission the results of the competitive bidding as required by Rule U-50 (c) and complying with such supplemental orders as the Commission may enter in view of the facts disclosed thereby; and

The Commission having reserved jurisdiction over the payment of all legal fees and expenses of counsel for prospective bidders in connection with the proposed transactions; and

Kings County Lighting Company having obtained from the Public Service Commission of the State of New York a final order expressly authorizing the issue and sale of said First Mortgage Bonds

and having made a report to the Commission in the form of a further amendment to the application setting forth the action taken to comply with Rule U-50 and stating that, in accordance with the permission granted by the order of the Commission dated July 26, 1945, it has offered the said bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Price to the company	Coupon rate	Cost to the company
Halsey, Stuart & Co., Inc.	Percent 101.63	Percent 3 1/8	Percent 3.64
John Hancock Mutual Life Insurance Co.	101.44	3 1/8	3.63
W. G. Langley & Co.	101.63	3 1/8	3.63
Blyth & Co., Inc.; and Kidder, Peabody & Co.	100.81	3 1/8	3.69

And it appearing further that Kings County Lighting Company has accepted the bid of Halsey, Stuart & Co., Inc. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 102.41% of the principal amount, resulting in an underwriter's spread of 0.75%; and

The Commission finding no basis for imposing any terms or conditions with respect to the proposed sale, and that the legal fees and expenses of counsel for prospective bidders in connection with the proposed transactions do not appear to be unreasonable:

*It is ordered*, That the jurisdiction heretofore reserved, as to the terms and conditions of the proposed sale of the said First Mortgage Bonds and as to the said legal fees and expenses to be paid in respect of the proposed transactions, be, and the same is, hereby released and that the application, as amended, be, and the same is, hereby granted, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-14693; Filed, Aug. 9, 1945;  
11:09 a. m.]

#### SURPLUS PROPERTY BOARD.

[Rev. Special Order No. 12]

#### ATTACHMENTS TO MACHINES AND MACHINE TOOLS OWNED BY RECONSTRUCTION FINANCE CORPORATION

Surplus Property Board Special Order 12, June 16, 1945 (10 F.R. 7600) is hereby revised and amended as set forth below:

Pursuant to the authority of the Surplus Property Act (50 Stat. 765; 50 U. S. C. App. Sup. 1611), *It is hereby ordered*, That:

In accordance with section 13 (b) of the Surplus Property Act, any owning agency may transfer to Reconstruction Finance Corporation without reimbursement attachments which are attached to machines or machine tools owned by Reconstruction Finance Corporation, in any case where a responsible officer of the owning agency determines that such at-

tachments have no commercial value separate from the machines to which they are attached or that the cost of the care and handling and disposition of such attachments separate from the machines to which they are attached would exceed the estimated proceeds of disposition.

This order shall become effective August 7, 1945.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14706; Filed, Aug. 9, 1945;  
11:12 a. m.]

[SPB Reg. 3, Order 34]

#### IOWA

#### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Kossuth, Winnebago and Hancock Counties, Iowa, 10 one-half ton weapon carrier trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14635; Filed, Aug. 9, 1945;  
11:11 a. m.]

[SPB Reg. 3, Order 35]

#### WASHINGTON

#### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled

"Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks, *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Adams, Lincoln, Grant, Douglas, and Franklin Counties, Washington, 12 one-half-ton weapon carrier trucks, 3 one and one-half-ton dump trucks, 4 one and one-half-ton dump cargo trucks, 12 one and one-half-ton cargo trucks, 9 one-half-ton pickup trucks, and 9 one and one-half-ton stake and platform trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*

EDWARD H. HELLER,  
*Member.*

ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14696; Filed, Aug. 9, 1945;  
11:13 a. m.]

[SPB Reg. 3, Order 36]

#### IDAHO

#### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks, *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington Counties, Idaho, 18 one-half-ton weapon carrier trucks, and 2

one-and-one-half-ton cargo trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*

EDWARD H. HELLER,  
*Member.*

ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14697; Filed, Aug. 9, 1945;  
11:12 a. m.]

[SPB Reg. 3, Order 37]

#### KANSAS

#### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks, *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Atchison, Brown, Doniphan, Douglas, Jackson, Jefferson, Johnson, Leavenworth, Nemaha, Shawnee, and Wyandotte Counties, Kansas, 33 one-and-one-half-ton cargo, CS&P and dump trucks, and 18 one-half-ton C/R trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*

EDWARD H. HELLER,  
*Member.*

ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14698; Filed, Aug. 9, 1945;  
11:13 a. m.]

[SPB Reg. 3, Order 38]

#### UTAH

#### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks, *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, San Pete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, and Weber Counties, Utah, 4 two-and-one-half-ton searchlight carrier trucks, 5 one-and-one-half-ton stake trucks, 1 two-and-one-half-ton stake truck, 1 two-and-one-half-ton dump truck, 1 one-and-one-half-ton weapon carrier truck, 16 one-half-ton C/R trucks, 20 one-half-ton weapon carrier trucks, 76 one-and-one-half-ton cargo trucks, 2 one-and-one-half-ton dump trucks, 2 one-and-one-half-ton CS&P trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*

EDWARD H. HELLER,  
*Member.*

ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14699; Filed, Aug. 9, 1945;  
11:12 a. m.]